

2006–2007

Adaptive Physical Education
 Computer Science
 Distributive Education
 Drama
 Early Childhood Education–K–Grade 3
 English as a Second Language
 German
 Journalism
 Physical Science
 Psychology
 Reading
 Reading Specialist/Remedial Reading
 Secondary Special Education
 Sociology
 Spanish
 Special Education
 Exceptional Generalist
 Science
 Speech
 Technical Education
 Trade and Industrial Education

2007–2008 through 2009–2010

Adaptive Physical Education
 Arts
 Early Childhood Education
 English
 ESL
 History
 Journalism
 Mathematics
 Middle Language Arts
 Music
 Reading
 Science
 Social Studies
 Spanish
 Special Education

2010–2011

Early Childhood Education
 English as a Second Language
 English/Middle Language Arts

History
 Library Media
 Mathematics
 Reading
 Science
 Earth Science
 Physical Science
 Spanish
 Special Education

2011–2012

Adaptive Physical Education
 English (Include Mid Lang. Arts)
 English as a Second Language
 Family and Consumer Science
 Foreign Language
 Mathematics
 Secondary Sciences
 Special Education

2012–2013

Statewide Academic Disciplines or Subject
Matter

Adaptive Physical Education (K–Grade 12)
 Art (K–Grade 12)
 At-Risk/Alternative Teachers Certification
 Area
 English (Grades 9–12)
 English as a Second Language (K–Grade 12)
 Family and Consumer Science (Grades 6–12)
 Geography (Grades 6–12)
 Health (Kindergarten–Grade 12)
 History (Grades 6–12)
 Language Arts (Grades 5–8)
 Mathematics (Grades 6–12)
 Physical Education (K–Grade 12)
 Reading (Kindergarten–Grade 12)
 Secondary Sciences (Grades 6–12)
 Spanish (Kindergarten–Grade 12)
 Special Education

2013–2014Statewide Academic Disciplines or Subject Matter

Adaptive Physical Education (K–Grade 12)
 At–Risk/Alternative Teachers Certification Area
 Elementary Grades (Core Subjects)
 English (Including Middle Language Arts)
 English as a Second Language
 Family and Consumer Science
 French
 Geography
 Health
 History
 Mathematics
 Physical Education
 Political Science
 Reading
 Secondary Sciences
 Spanish
 Special Education

2014–2015 and 2015–2016Statewide Academic Disciplines or Subject Matter

Adaptive Physical Education
 At–Risk/Alternative/Non–Traditional Teachers Certification Area
 Elementary Grades (Core Subjects)
 English (Including Middle Language Arts)
 English as a Second Language
 Family and Consumer Science
 Health
 Mathematics
 Physical Education
 Reading
 Secondary Sciences
 Spanish
 Special Education

2016–2017Statewide Academic Disciplines or Subject Matter

Elementary Grades (Core Subjects)
 English (Including Middle Language Arts)
 English Learner Education
 Family and Consumer Science
 Gifted and Talented
 Health
 Mathematics
 Music
 Secondary Sciences
 Spanish
 Special Education

2017–2018Statewide Academic Disciplines or Subject Matter

Elementary Grades (Core Subjects)
 English (Including Middle Language Arts)
 English Learner Education
 Family and Consumer Science
 Gifted and Talented
 Health
 Mathematics
 Music
 Secondary Sciences
 Spanish
 Special Education

AMERICAN SAMOA**1990–1991 through 2008–2009**

No TSA proposal submitted

2009–2010 through 2017–2018Statewide Academic Disciplines or Subject Matter

Elementary Education (K–Grade 8, All Areas)
 Secondary Education (Grades 9–12, All Areas)
 Special Education (All Levels, All Areas)

Geographic Areas

Aunu'u Island
Manu'a Islands
Tutuila Island

GUAM

1990–1991 through 2009–2010

No TSA proposal submitted

2010–2011 and 2011–2012

Guidance Counselors
Language Arts (Middle and High)
ESL
Reading Specialist
TESOL
Math (Middle and High)
Algebra
Calculus
Geometry
School Librarian (Elem./Middle/High)
Science (Middle and High)
Biology
Chemistry
Earth Science
Physical Science
Physics
Special Education (Pre-K–12)
Behavioral Disorders
Early Childhood
Hearing Impaired
Interrelated Program
Learning Disability
Moderately/Profoundly Challenged
Severe Emotional Disturbed
Speech/Language Pathologist
Visually Impaired
Other areas not listed

2012–2013 and 2013–2014

Statewide Academic Disciplines or Subject Matter

Chamorro Language and Culture (Elementary and Secondary)
Language Arts (Secondary)
Mathematics (Secondary)
Physical Education (Secondary)
School Counselor (Elementary and Secondary)
School Librarian (Elementary and Secondary)
Science (Secondary)
Special Education (Pre-K–Grade 12)

2014–2015

Statewide Academic Disciplines or Subject Matter

Art (Secondary)
Career Education (Secondary)
Chamorro Language and Culture (Elementary and Secondary)
Computer Science (Secondary)
Elementary (K–Grade 5)
English as a Second Language (Elementary and Secondary)
Gifted and Talented Education Program (GATE)
Head Start Program
Health/Physical Education (Secondary)
Language Arts (Secondary)
Mathematics (Secondary)
Music–Band (Secondary)
Non–Classroom (Curriculum Coordinator)
Non–Classroom (Consulting Resource Teacher)
Physical Education (Secondary)
Reading (Secondary)
School Guidance Counselor (Elementary and Secondary)
School Librarian (Elementary and Secondary)
Science (Secondary)
Social Studies (Secondary)
Special Education (Pre-K–Grade 12)

2015–2016

Statewide Academic Disciplines or Subject Matter

Chamorro Language and Culture (Elementary and Secondary)
Language Arts (Includes English as a Second Language and Reading)
Mathematics (Secondary)
Physical Education (Secondary)
School Counselor (Elementary and Secondary)
School Librarian (Elementary and Secondary)
Science (Secondary)
Special Education (Pre-K–Grade 12)

2016–2017

Statewide Academic Disciplines or Subject Matter

Chamorro Language and Culture (Elementary and Secondary)
Elementary Education (K–5th Grade)
Language Arts (Includes English as a Second Language and Reading)
Mathematics (Secondary)
Physical Education (Secondary)
School Counselor (Elementary and Secondary)
School Librarian (Elementary and Secondary)
Science (Secondary)
Special Education (Pre-K–Grade 12)

2017–2018

Statewide Academic Disciplines or Subject Matter

Chamorro Language and Culture (Elementary and Secondary)
Elementary Education (K–5th Grade)
Language Arts (Includes English as a Second Language and Reading)
Mathematics (Secondary)
Physical Education (Secondary)
School Counselor (Elementary and Secondary)
School Librarian (Elementary and Secondary)
Science (Secondary)

Special Education (Pre-K–Grade 12)
Other Electives (Elementary and Secondary)

NORTHERN MARIANA ISLANDS

1990–1991

No TSA proposal submitted

1991–1992 through 1996–1997

Geographic Areas

Rota Island
Saipan Island
Tinian Island

1997–1998

Academic Disciplines

English
Language Arts
Lower and Upper Elementary Education
Math
Physical Education
Special Education
Vocational Education

Geographic Areas

Rota Island
Saipan Island
Tinian Island

1998–1999

Academic Disciplines

English
Lower and Upper Elementary Education
Math
Physical Education
Reading Resource Specialist
Science
Special Education

Geographic Areas

Rota Island
Saipan Island
Tinian Island

1999–2000 through 2004–2005

No TSA proposal submitted

2005–2006 through 2007–2008

Academic Disciplines

Elementary Education (K–Grade 6)
Language Arts (Grades 7–12)
Mathematics (Grades 7–12)
Special Education (K–Grade 12)

Geographic Areas

Rota Island
Saipan Island
Tinian Island

2008–2009 and 2009–2010

Academic Disciplines

Elementary Education (K–Grade 6)
Language Arts (Grades 7–12)
Mathematics (Grades 7–12)
Science (Grades 7–12)
Special Education (K–Grade 12)

Geographic Areas

Rota Island
Saipan Island
Tinian Island

2010–2011 through 2013–2014

Statewide Academic Disciplines or Subject Matter

Career and Technical Education (Grades 7–12)
Elementary Education (K–Grade 6)
Language Arts (Grades 7–12)

Mathematics (Grades 7–12)
Science (Grades 7–12)
Special Education (K–Grade 12)

Geographic Regions

Rota Island
Saipan Island
Tinian Island

2014–2015

Statewide Academic Disciplines or Subject Matter

Elementary Education (K–Grade 6)
Language Arts (Grades 7–12)
Mathematics (Grades 7–12)
Special Education (K–Grade 12)

Geographic Regions

Rota Island
Saipan Island
Tinian Island

2015–2016

Statewide Academic Disciplines or Subject Matter

Elementary Education (K–Grade 6)
Language Arts (Grades 6–12)
Mathematics (Grades 6–12)
Science (Grades 6–12)
Special Education (K–Grade 12)

Geographic Regions

Rota Island
Saipan Island
Tinian Island

2016–2017

Statewide Academic Disciplines or Subject Matter

Elementary Education (K–Grade 6)

Language Arts (Grades 6–12)
Mathematics (Grades 6–12)
Science (Grades 6–12)
Special Education (K–Grade 12)

Geographic Regions

Rota Island
Saipan Island
Tinian Island

2017–2018

Statewide Academic Disciplines or Subject Matter

Career and Technical Education (Grades 7–12)
Elementary Education (K–Grade 6)
Language Arts (Grades 7–12)
Mathematics (Grades 7–12)
Science (Grades 7–12)
Special Education (K–Grade 12)

Geographic Regions

Rota Island
Saipan Island
Tinian Island

PALAU

1990–1991 through 2004–2005

No TSA proposal submitted

2005–2006 and 2006–2007

Academic Disciplines

Elementary Education (Grades 1–8)
High School (Grades 9–12)
Special Education (Grades 1–12)

Geographic Areas

Koror Island
Babeldaob Island
Peleliu Island
Kayangel Island

Southwest Islands

2007–2008 through 2010–2011

Academic Disciplines

Elementary Education (Grades 1–8)
High School (Grades 9–12)
Special Education (Grades 1–12)

Geographic Areas

Angaur Island
Babeldaob Island
Kayangel Island
Koror Island
Peleliu Island
Southwest Islands

2011–2012 through 2017–2018

Statewide Academic Disciplines or Subject Matter

Elementary Education (Grades 1–8)
High School (Grades 9–12)
Special Education (Grades 1–12)

Geographic Regions

Angaur Island
Babeldaob Island
Hatohebei Island
Kayangel Island
Koror Island
Peleliu Island
Sonsorol Island

PUERTO RICO

1990–1991 through 1992–1993

No TSAs approved

1993–1994 through 2012–2013

No TSA proposal submitted

2013–2014Statewide Academic Disciplines or Subject

Chemistry
 Dance–Movement and Corporal Expression
 Elementary English
 Environmental and Terrestrial Sciences
 Mathematics
 Music
 Physics
 Secondary English
 Special Education
 Theatre

2014–2015

Chemistry
 Earth and Environmental Sciences
 Elementary English
 Physics
 Secondary English and Mathematics
 Special Education

2015–2016 and 2016–2017

Biology
 Chemistry
 Earth and Environmental Sciences
 Elementary English
 Physics
 Secondary English and Mathematics
 Special Education

2017–2018

Biology (Grades 10–12)
 Chemistry (Grades 10–12)
 Earth and Environmental Sciences (Grades 10–12)
 Elementary English (K–Grade 6)
 Secondary English (Grades 7–9 and 10–12)
 Special Education (K–Grade 12)
 Visual Impairment
 Autism
 Deaf
 Early Childhood

U.S. VIRGIN ISLANDS**1990–1991**

No TSAs approved

1991–1992 through 2003–2004

No TSA proposal submitted

2004–2005

Bilingual/English as a Second Language
 Computer Science
 Elementary Education
 English
 Foreign Languages
 Librarians
 Mathematics (Grades 7–12)
 Music
 School Nurse
 School Psychologists
 Science
 Special Education
 Therapists (OT, PT, ST)

2005–2006

Bilingual/English as a Second Language
 Computer Science
 Elementary Education
 English
 Foreign Languages
 Librarians
 Mathematics (Grades 7–12)
 Music
 School Nurse
 Science
 Social Studies
 Special Education
 Therapists (OT, PT, ST)

2006–2007 and 2007–2008

Bilingual/English as a Second Language
 Computer Science
 Elementary Education
 English

Foreign Languages
Librarians
Mathematics (Grades 7–12)
Music
Physical Education
School Nurse
Science
Social Studies
Special Education
Therapists (OT, PT, ST)

2008–2009 and 2009–2010

Bilingual/English as a Second Language
Elementary Education
English
Foreign Languages
Librarians
Mathematics (Grades 7–12)
Music
Physical Education
School Nurse
Science
Social Studies
Special Education
Therapists (OT, PT, ST)

2010–2011 through 2017–2018

Statewide Academic Disciplines or Subject Matter

Art
Bilingual/English as a Second Language
Elementary Education
English
Foreign Languages
Mathematics (Grades 7–12)
Music
Physical Education
Reading
School Nurse
Science
Social Studies
Special Education
Therapists
Occupational Therapy
Physical Therapy

Speech Therapy

Department of Defense Education Activities (DoDEA)

1990–1991 through 2017–2018

No TSA proposal submitted

National Education Association

<http://www.nea.org/home/14813.htm>

Status of Substitute Teachers: A State-By-State Summary

Reported by NEA Affiliates

Ohio

Some school districts have reacted to the shortage by restricting teachers' personal and sick leave. Others have opted for full-time substitutes. To avoid paying benefits, several districts use educational aides as substitutes, although it is illegal. The following strategies and solutions have been used in Ohio:

- o Training parents to serve as elementary substitutes for purposes of providing time for professional development for teachers.
- o Providing a day of training to anyone with a B.A. degree who wants to substitute.
- o Hiring a couple of long-term substitutes at the high school level, paying them on base salary, and providing benefits after a number of days. Substitutes are assigned to a different classroom every day.
- o Paying teachers to substitute during their planning time or increasing the pay (all through bargaining).
- o Improving pay and shortening the number of days before a substitute gets to the salary schedule.
- o Having a dollar scale that increases each day the substitute returns to the district.
- o Pulling resource teachers (Title teachers, special education teachers) from their assignments and sending them into the classrooms. Special education students are then not serviced for the day. Locals have fought this in the past by bargaining regular teachers' planning time within the student day--which is during special time--which prevents the district from using the music, physical education, and art teachers.
- o Bargaining with the local to hire permanent substitutes at every level if funding is available, and paying them an hourly rate. They are not part of the bargaining unit.
- o Recruiting local people with degrees and providing training on substituting practices and teaching. 10. Creating a substitute "pool" from which all schools draw substitutes.
- o Asking teachers to volunteer planning periods to cover classes. Offering to raise the hourly pay rate for teachers who substitute during their prep time (also completely voluntary) at rates from \$15 to \$22 per period.
- o Giving substitutes bonus money (\$200-\$300) after they have substituted for 30 days.
- o In a county where teaching jobs are hard to get, the district invites new and soon-to-graduate education students to an event where they are given information and an informal interview. Then, the district explains the need for substitutes. Many of these prospective teachers agree to be casual substitutes until a full-time job is available.
- o Initiating a job for a classified person with overtime--a secretary or clerk--who clears all substitute calls.
- o Negotiating contract language that allows teachers to fill in for people at a cost to the district, most are at \$15 per class.
- o Introducing progressive attendance bonus provisions.

- Locals use associate employees to act as full-time substitutes.
- Asking retired teachers to substitute.

Overall, substitute pay ranges from \$40 to \$125 daily. Some local variations:

- \$49 lowest, with an increase after 10 days to \$52; \$75 highest; and the average is \$55. Most build in other incentives, e.g., increase after 10-15 days.
- \$60, and after 10 consecutive days, the rate rises to \$75.
- \$95 for regular substitutes, and \$125 for retirees.

Ohio House of Representatives



MEMORANDUM

To: All House Members

From: Representatives Dick Stein and Wes Retherford

Date: April 2nd, 2018

Re: Co-sponsor Request: Alternative Pedagogic Certification

Over the last several years, the Ohio General Assembly has enacted a number of bills to allow alternative pathways to teacher licensure. The intent of these measures has been to align schooling with in-demand jobs fields, particularly math and science. However, there are many subjects in school and according to the annual US Dept. of Education *Teacher Shortage Report*, Ohio has been experiencing shortages beyond STEM studies since the mid-90s. We will be introducing legislation to broaden the traditional pathway to the resident educator license, recognizing non-profit development programs to fulfill the pedagogy requirement.

Within Ohio's tiered teacher licensure system, the base resident educator license requires applicants to possess a Bachelor of Science in Education and pass a state examination. Upon completion of a subsequent 4-year resident educator program a licensee is eligible for a professional educator license and the track to tenure. Past legislation has created several pathways that allow certain teachers to skip part or all of the resident educator program to allow easier than normal paths to a professional license—STEM license and Teach for America program (RC 3319.28 & 3319.227).

Our bill does not create a new pathway. But rather recognizes successful non-profit teacher development and training programs to fulfill the BS in Education requirement for licensure. Individuals who possess any bachelor's degree, who complete the subject specific pedagogy program, and who pass the standard state examination shall be eligible for a resident educator license. Eligible programs must be administered by non-profits who 1) operate teacher development courses in 5 states, and 2) have operated alternative teacher certification courses for over 10 years.

Opponents will argue that the quality of such a program will not meet the standards of traditional licensees. This bill is similar to RC 3319.26 adopted in the budget, which directs the State Superintendent and Chancellor of Higher Education to create an online summer development program. Our bill recognizes existing programs with a track record of success rather than putting that burden solely on the state. They will also argue that there is no teacher shortage in Ohio. In the aggregate this may be true, however regional teacher supply does not fill demand. In fact, the National Education Association provides a long list of Ohio specific policy recommendations to increase the availability of teachers.

The goal of this legislation is to create a framework to allow existing programs to certify a college educated person's pedagogic knowledge, absent an education degree, and to allow operating nonprofits to innovate teacher development models. We ask that you consider joining us in co-sponsoring this effort. If you would like to add your name as a co-sponsor please contact Matthew Noonan (Matthew.Noonan@ohiohouse.gov) or Nick Stallard (Nicholas.Stallard@ohiohouse.gov) no later than **Monday April 9th at 4pm.**

From: Gongwer News Service
Sent: Monday, February 22, 2016 6:49 PM
To: DL_Gongwer
Subject: Ohio Report, Monday, February 22, 2016
Attachments: Feb22.htm; Feb22House.htm; Feb22Senate.htm;
160222dayplan.htm



Ohio Report for Monday, February 22, 2016

Higher Education MBR Expands Community College Options, Implements Affordability Recommendations

Education 'Deregulation' Bill Amendments On Hold, Chairman Says

Former Lawmakers Look To Replace Faber In The Senate

After One Candidate Drops Out, Three Republicans Face Off In House District 47 Primary

Kasich Jostles With Rubio For Bush Donors Following SC; Graham, Sabato Mull Potential Rubio-Kasich Ticket

Politics Notebook: Kasich Draws Attention For 'Kitchen' Remark, Signs PP 'Defund' Bill; Poll Shows 74% Of Ohioans Support Medicinal Pot...

Court Briefs: High Court Sets Execution Date; Visiting Judge To Hear Case; Web Site On Judicial Candidates Updated

Capitol Scene: Chabria To Leave Gov's Office, Join ORP; Staff Changes Announced At Buckeye Institute, AICUO, HPIO

Gongwer Statehouse Job Market Updated

Supplemental Agency Calendar

Supplemental Event Planner

Activity Reports

House

Senate

Calendars

Day Planner

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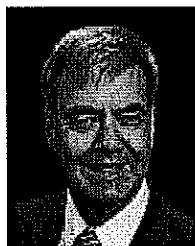
Volume #85, Report #34 -- Monday, February 22, 2016

Higher Education MBR Expands Community College Options, Implements Affordability Recommendations

The administration continues its focus on lowering the cost of college degrees in a higher education mid-biennium review plan unveiled Monday.

The proposal would allow community colleges to offer up to 10 bachelor's degree programs and would create a pilot program in which high school students can receive college credit for math and English remediation courses.

Among other MBR provisions Chancellor John Carey announced at a press event at Lorain County Community College, universities would be required to implement a handful of recommendations from the governor's Task Force on Affordability and Efficiency in Higher Education. (Fact Sheet)



John Carey

"The issue of college affordability is more important than ever. Across the country, the cost of college has far outpaced consumer price index and even healthcare costs. That cost has put the American dream of a college degree out of reach for a growing number of students and families. This is unacceptable," Mr. Carey said.

"Controlling college costs to ensure that more Ohioans can obtain a college degree or credential remains a top priority for Governor Kasich and the General Assembly."

Additional provisions in the bill that Rep. Tim Brown (R-Bowling Green) is expected to introduce on Tuesday include:

- Requiring the Department of Education to study income-sharing agreements as a possible strategy to reducing student loan debt.
- Becoming the 10th state to join the Midwest Exchange Program, which is a tuition reciprocity program that would allow students to enroll in programs at other

states' institutions at a tuition rate that's lower than what typical out-of-state students would pay.

- Creating more "3+1" pathways between two- and four-year institutions so that students are studying at cheaper community colleges longer.
- Joining a partnership with the Western Governors University to award degrees in four areas based on competency and not just the amount of time spent in the classroom.

Joining Mr. Carey were higher education leaders who applauded the plans to expand efforts to reduce higher education costs by supporting dual enrollment programs and pushing collaboration between universities and colleges.

Other speakers included: Lorain County Community College President Roy Church; Sinclair Community College President Steve Johnson; Ray Craig, dean of Bowling Green State University's College of Arts and Sciences; Frank Calzonetti, vice president of government affairs at the University of Toledo; Sen. Gayle Manning (R-N. Ridgeville); and two LCCC students.

In particular, they spoke to the success of 3+1 programs and pointed at the MBR plans as a necessary step toward bringing the initiative to scale statewide.

Mr. Church said students at his two-year institution have saved millions of dollars and shaved years off their higher education careers by taking at least 75% of their classes there before earning a bachelor's degree from a university.

"You can use College Credit Plus and 3+1 and we can assure you that you can graduate with a bachelor's degree by age 20 at less than 20% of the cost of taking that same baccalaureate degree if you had to leave Lorain County and go to (a university offering a) four-year degree," he said. "It's not saying one pathway is better than another, it's saying we need all the pathways we can get in Ohio."

Universities are also supportive of plans to move students more quickly through higher education and at a lower cost, Mr. Craig said.

Bowling Green has been among those schools offering a 3+1 program for more than a decade and CCP has brought some first generation students to the university that may have never pictured themselves there otherwise, he said.

"We've been doing this already for well over a decade. We know that it works. It can be successful for our citizens, our universities and community colleges," Mr. Craig said.

Messers. Church and Craig said they're hopeful that state support for the program will give it the push it needs to mount in the same way dual enrollment has since the Department of Higher Education and ODE began pushing CCP last year.

Mr. Johnson added that community colleges offering bachelor's degrees that aren't available at nearby universities will also be beneficial because it will allow them to offer credentials in career fields that are specific to the region.

Twenty-five other states permit community colleges to offer advanced degrees, he said.

"This is the kind of policy bill that will help us move forward," Mr. Johnson said, referring to Lumina Foundation research that has determined Ohio needs to increase its percentage of residents with a post-secondary degree from 35% to 65% to fill job demands in the coming years.

When the MBR plan was revealed, Jack Hershey, president of the Ohio Association of Community Colleges, also touted its potential benefits.

"These reforms proposed today shine the light on a pathway that has emerged under Governor Kasich that allows students to obtain a degree from their favorite university, while saving up to 80% off the traditional cost of attendance by completing as much of their coursework as possible at a community college," he said in a statement. "The ability for middle class families, single parents, and working adults to obtain a debt-free college degree is once again a reality in Ohio."

Inter-University Council of Ohio President Bruce Johnson said the organization is still examining the proposals to determine its stance, but is supportive of the administration's ongoing efforts to expand higher education options.

"Overall, I think that we appreciate the chancellor's focus on affordability and access and we think that a large and growing percentage of students who are entering public institutions of higher education are choosing public universities and that's because of their evaluation of the value that public universities provide," he said in an interview.

"Certainly providing really good, high-quality choices is great because the state needs to focus on bridging its education gap," Mr. Johnson added.

Education 'Deregulation' Bill Amendments On Hold, Chairman Says

A bill slated for a number of revisions, including holding charter school sponsors harmless for report card scores, has been pulled from the House Education Committee's agenda.

Chairman Rep. Andy Brenner (R-Powell) said last week that the measure (SB 3) would see "quite a few" changes over the course of back-to-back meetings scheduled for Monday afternoon and Tuesday morning. (See Gongwer Ohio Report, February 19, 2016)

However, the Monday meeting was canceled late last week and Tuesday's has been moved to 2 p.m. The bill and a presentation from the Department of Education were removed from the agenda of the latter meeting.

The delay is caused by a desire on behalf of the legislature and the administration to continue working on the bill before any changes are made public, Rep. Brenner said. He expects any disagreements to be resolved by the time the House returns to session the week of March 14.

"Hopefully we'll get the issues resolved between now and when we come back," he said in an interview.

The chairman was reluctant to reveal what the planned omnibus amendment will include or what proposals are proving to be the most contentious, but said changes will address policy decisions made in the last year.

Despite reports that the proposals would seek to weaken recently enacted charter school overhauls, Rep. Brenner said he doesn't think that's the case.

"There is a discussion of some other issues around equivalency, but that goes back to prior legislation," he said.

Sen. Peggy Lehenr, the Senate Education Committee chairwoman who was behind a number of the HB2 provisions, said attempts to water them down have been unsuccessful.

"I haven't heard of anything that's giving me heartburn," she said of potential updates to the so-called education de-regulation bill. "I know that there have been efforts to put some things in but to my knowledge they're not going in the bill and therefore I'm fine with it."

The chairwoman added that she's supportive of plans to provide safe harbor for charter school sponsors from state report card grades as long as it's only for the 2014-15 school year.

In its original state, the measure is aimed at rewarding high-performing school districts by releasing them from some state requirements.

Former Lawmakers Look To Replace Faber In The Senate

Matt Huffman and John Adams, both of whom left the House in 2014 due to term limits, are running for the seat that comprises Allen, Champaign, Shelby and Mercer counties along with portions of Auglaize, Logan and Darke counties.

Mr. Adams, a businessman and former Navy SEAL, did not respond to multiple attempts to contact him.

Mr. Huffman, a private attorney who rose to the ranks of speaker pro tempore in his first tenure in the legislature, said he has always been drawn to public service.

Prior to his time in the General Assembly he served on the Lima City Council for 14 years, including seven as the body's president.

"If you feel like you can contribute you need to do that in whatever way you can," Mr. Huffman said.

If elected, Mr. Huffman said he hopes to boost manufacturing in the district through increased vocational training and remove disincentives to work.

"We can't fill jobs," he said. "We have jobs that are going unfilled."

More educational dollars should be spent on vocational training and less should be spent on welfare programs, according to Mr. Huffman.

"We understand that in bad times people lose their jobs and they need a little bit of a boost," he said, but added, "Everybody has to do a job at some point in their life that they don't like."

Mr. Huffman also said he will push for a more business-friendly climate in Ohio by fighting efforts to raise revenues through what he deems as backdoor tax increases - "retroactive fines, penalties, things of that nature," he said.

"There should never be a surprise from the government that money is owed by a business, especially when there is a newly acquired business," he said.

Providing clarity in the rule-making process and moving from an income tax to a sales tax are also priorities of Mr. Huffman.

During his first stint in the legislature, Mr. Huffman said one of his crowning achievements was the passage of legislation to standardize contracts between health care providers and insurance companies (HB125, 127th General Assembly). He said the law could likely use some updating.

"Six years since that bill was passed there's been a lot of backsliding in that regard," he said.

Mr. Huffman, who considers himself to be a "small government, pro-low tax, pro-life, pro-second amendment Republican," believes he has a proven track record of getting things done in the Statehouse that would be of value to the legislature.

"You can be whatever you say you want to be, but you also have to be effective," he said. "That's why we were able to pass a pretty conservative agenda."

During his tenure in the House, Mr. Adams was considered among the more right-leaning members of a conservative majority under then-Speaker Bill Batchelder. He was elected twice to serve in caucus leadership.

Along with the usual conservative causes such as tax cuts and anti-abortion initiatives, Mr. Adams was a staunch proponent of oil and gas drilling in parks and other state lands and sponsored legislation to that effect (HB133, 129th General Assembly).

His anti-abortion efforts included a bill to require paternal consent for abortions (HB252, 128th General Assembly).

Outside of his General Assembly activities, Mr. Adams served as the Ohio legislative chair of American Legislative Exchange Council.

No Democrat filed to run for the heavily Republican seat.

After One Candidate Drops Out, Three Republicans Face Off In House District 47 Primary

An ex-mayor, a school board member, and a Toledo business owner are elbowing for a shot at the 47th House District seat occupied by term limited Rep. Barbara Sears (R-Maumee).

A fourth GOP contender - Monclova Township trustee and Mercy St. Vincent Foundation Development Director Barbara Lang - last month dropped out of the race following discussions with party leaders, saying a crowded primary is not in voters' best interest.

Among the remaining candidates are realtor and former Waterville Mayor Derek Merrin, Sylvania school board member Vicki Donovan Lyle, and business owner and former Sylvania township trustee Kevin Haddad.

The winner of that contest will face Democrat Michael Sarantou of Sylvania Township come November.

The trio of GOP candidates spoke in interviews about their goals for the district if elected.

Mr. Merrin, who has earned endorsements from Rep. Sears, Rep. Rob McColley (R-Napoleon), and Sen. Randy Gardner (R-Bowling Green), served on the Waterville City Council between 2007-2008

He was first elected in 2007, unseating a three-term Democrat and becoming the youngest mayor in Ohio at the time when he took office in 2008. He credits that win to a message of fiscal conservatism and open government.

"I governed as a strong fiscal conservative who opposed tax increases," he said. "I implemented many cost savings reforms. I'm a strong believer we must empower our local officials by addressing state laws that restrict their ability to govern."

After his term ended and he decided not to seek reelection, he spent four years working for the state auditor's office and is now a realtor and real estate investor.

"My number one priority will be creating an environment that ignites Ohio's economic engine," he said. "I believe our state needs pro-growth reforms to our tax code, regulatory rules, and legislation that furthers individual freedoms."

Ms. Lyle has served on the Sylvania school board since 2004 and owns a business specializing in health insurance and benefit consulting.

She said her experience as a school board member overseeing a district with an \$82 million budget has given her an appreciation for public office and the accountability that comes with it.

"We're expected to keep ourselves fiscally solvent and responsible and accountable in a transparent way to the community," she said. "All of those critical pieces are part of what any good elected official (does) in terms of having that kind of background and experience that's going to translate to the bigger stage."

She said she wants to reduce the state's role in the classroom, by decreasing standardized testing and "teaching to the test." Other priorities include better matching job opportunities with potential workers and addressing the financial burden she said is placed on individuals and businesses to secure healthcare.

If elected, she said, she'd focus on being open and accessible to constituents.

"I've had 30-plus years in the workforce having my own business as a small business owner," she said. "In addition to that, I think my time on the school board has served me well to understand that listening is a primary component for an elected official. It's not about our agenda, but what are the concerns for our constituents."

Mr. Haddad is a former president of the Township Association of Lucas County. He's also a real estate owner and for 40 years owned and operated a Toledo hair salon.

After being elected township trustee in 2009, Mr. Haddad lost reelection in 2013. He previously mounted a failed bid as an independent in 2012 for a county commissioner seat. After finding difficulty winning local races as a conservative, he said, he believes he'll have greater odds in a Statehouse race.

"For me, it's not about the job, not about the money," he said. "It's about fixing the state up before it gets wiped out."

He said he wants to reverse cuts to the local government fund enacted in recent years, but also institute new accountability measures to monitor how those funds are used.

"If we restore the local government fund in a way that would go to each community - I'm not going to give it to the counties - I'm going to ask a lot of people give us your budget

and we're going to audit you to make sure you spent that money properly on those issues," he said.

He said he'd push for an elimination of school levies, which he contends are "illegal and unconstitutional."

Mr. Merrin alleges his two opponents aren't conservatives and said he has widespread support in the district. He said he wants to better control government spending while lowering taxes.

"I'm the only conservative that is running," Mr. Merrin said, claiming that his opponents each "have a record of voting and supporting increased taxes."

"I'm the only candidate that has consistently opposed tax increases as an elected official," he said.

Ms. Lyle, in response, said her opponent was likely referring to a series of school levies voters had approved during her time on the school board. She said the board worked to ensure citizen comments were received when weighing potential cost savings efforts and levy proposals.

Like with all school levies, she said, it's not the school board approving the property tax increase but the voters. She said she would prefer no taxes be increased, but that the board is forced to act within the confines of the current funding system.

"We take every effort and every opportunity to be judicious and fiscally responsible and conservative as we can; we value and appreciate the taxpayers' investment," she said. "But we also understand we are limited in our options of how to raise revenue - of which that is one. So it is the voters who decide, not the school board, as to whether (an increase in) taxes will be put in place."

Mr. Haddad said he was able to pass three of his four priorities as a township trustee and that several cost saving measures he proposed were voted down by other trustees.

He criticized Mr. Merrin for his handling, while mayor, of an ordinance that would have barred sex offenders from living in certain parts of the city. The ordinance, which Mr. Haddad contends would have concentrated sex offenders in a handful of neighborhoods, was later scrapped by the city council in a 6-1 vote in 2008 following public opposition.

"When I was a trustee, I worked conservatively," Mr. Haddad said. "I can foresee the future on a lot of issues and I look at every angle of it and I make sure it's done as properly and accurately as possible so we don't have any problems."

Subscribers Note: These stories are part of a series on contested primaries heading into the March 15 election. Updated candidate lists and related information are available on the [Gongwer Elections Page](#).

Kasich Jostles With Rubio For Bush Donors Following SC; Graham, Sabato Mull Potential Rubio-Kasich Ticket

Unlike Gov. Bush, the Kasich camp made clear early on it did not have high hopes for South Carolina, instead preferring to lay groundwork in friendlier upcoming Midwestern states like Michigan. Mr. Bush announced Saturday night he was suspending his campaign, a move that enabled Kasich backers to tout their candidates as the last governor standing.

Kasich for America Chief Strategist John Weaver said the South Carolina results show the field has been winnowed to a four man race and that Gov. Kasich has emerged victorious from the "governor's bracket."

"Only four candidates have top-three finishes in any of the early states and can justify staying in," he said. "While others were making their last stand in South Carolina, John Kasich strengthened his organization and support - despite being outspent by tens of millions of dollars. He also focused on the key states ahead for us, like Michigan, where he is currently second, Massachusetts and Vermont."

But Gov. Kasich faces an uphill battle jostling with Sen. Rubio to pick up remnants from Mr. Bush's failed campaign; those donors and staffers may be more drawn to the senator, who has raised more money and seen more success in the Iowa caucuses and SC primary than Gov. Kasich.

"John Kasich may be able to compete in places such as Massachusetts and Michigan in early March, and hang on to win Ohio with the hope that his delegates prove crucial," according to analysis from Sabato's Crystal Ball. "But he just isn't built to play in enough states, nor does he have a broad enough appeal in the GOP, to truly challenge for the nomination."

"Most mainstream Republicans will sooner or later move to Rubio, but will it be soon enough? He can't keep on finishing second or third - or fifth, as he did in New Hampshire. You have to start winning, but where?"

On Monday, former candidate and Bush backer Sen. Lindsay Graham mused during an interview that a Rubio-Kasich ticket "would be (a) very potent ticket in the fall and maybe help us stop Trump."

Added Sabato's Crystal Ball: "Rubio might want to consider a daring gambit - openly offering Kasich the vice presidential slot in exchange for the Ohio governor's support."

Gov. John Kasich finished fifth out of six candidates in the South Carolina Republican primary Saturday, landing far behind winner Donald Trump. Mr. Trump won 32.5% of the vote, while Mr. Kasich won the support of 7.6% of voters.

Sen. Rubio won a narrow second place victory at 22.5%, followed by Sen. Ted Cruz at 22.3%. Gov. Kasich fell just short of former Florida Gov. Jeb Bush, who came in fourth with 7.8%. Retired neurosurgeon Ben Carson earned 7.2% of the vote.

The Kasich campaign is banking on a successful showing in Michigan, where a weekend American Research Group poll ranked him in second at 17%, above Sens. Rubio and Cruz, who were each at 12%.

The Kasich campaign on Monday announced its Michigan team (full roster), which will be chaired by former congressman Pete Hoekstra, State Senate Majority Leader Arlan Meekhof, State House Speaker Pro Tempore Tom Leonard, and former RNC committeeman Chuck Yob.

With the field narrowing, Gov. Kasich is expected to face increasing calls to withdraw in an effort to consolidate support behind Sen. Rubio among establishment figures who hope to mount an effort to thwart Mr. Trump and Sen. Cruz from landing the nomination. Gov. Kasich's continued presence may siphon support that might otherwise be thrown at the freshman senator from Florida.

Kasich Gains/Loses Endorsements: On Sunday, the *Columbus Dispatch* reported that Kasich campaign Colorado co-chair B.J. Nikkel is endorsing Sen. Rubio. The paper quoted the former state lawmaker as saying "it's time for conservatives of conscience to rally behind the one man who can defeat New York billionaire Donald Trump."

At the same time, billionaire financier Stanley Druckenmiller threw his support behind Gov. Kasich, according to the *New York Times*.

"Mr. Druckenmiller confirmed in an email that he was supporting Mr. Kasich, but did not elaborate," the paper reported. "Last year, he donated more than \$450,000 to groups supporting Mr. Kasich, Gov. Chris Christie of New Jersey and former Gov. Jeb Bush of Florida."

It remains to be seen who, if anyone, Mr. Bush might endorse. A *Politico* report Sunday cited those close to Mr. Bush as saying a Kasich endorsement was "unlikely." But an endorsement of Sen. Rubio might also be a stretch considering the pair's increasingly contentious relationship on the campaign trail in recent months.

Gov. Kasich landed several endorsements in recent days, including those from former Pennsylvania Gov. Tom Ridge, former Massachusetts Gov. Bill Weld, former Nevada GOP Chairwoman Amy Tarkanian, and Nevada Speaker John Hambrick. Also endorsing the governor are the *Waco Tribune-Herald* and the *Corpus Christie Caller Times* of Texas.

The Kasich campaign Sunday announced it has hired Mike Schrimpf, formerly chief communicator for Illinois Gov. Bruce Rauner, to oversee its communication outreach. Kerry Knott, former chief of staff to former U.S. Majority Leader Dick Armey has been hired as the campaign's senior policy adviser.

Coming Soon: GOP candidates will next focus on Nevada, where caucuses will be held on Tuesday. A CNN debate is scheduled for Thursday, though qualifying criteria have not yet been announced.

After Nevada is a key March 1 date, when nine states hold primaries and three states hold caucuses in the so called SEC Primary. Primaries will be held that day in Alabama, Arkansas, Georgia, Massachusetts, Oklahoma, Tennessee, Texas, Vermont and Virginia. Alaska, Colorado and Minnesota have caucuses on March 1.

The Kasich-backing super PAC New Day for America on Monday announced the rollout of its national political operation which will involve more than 50 staff members and 14 officers across 12 March primary states.

Targeted states include Alaska, Arkansas, Georgia, Vermont, Virginia, Kentucky, Maine, Hawaii, Michigan, Mississippi, Ohio and North Carolina.

"Our Super PAC's focus on the ground game is unique and, just as we did in New Hampshire, we fully expect our team to impact the race for the nomination," New Day spokeswoman Connie Wehrkamp said. "We are strategically placing our focus and resources where we can make the biggest impact and ensure John Kasich, the one Republican who can win in November, is our nominee."

In a Monday Emerson poll of Massachusetts, conducted Feb. 19-21 with a 5.7 percentage point margin of error, Gov. Kasich placed third at 13%, behind Mr. Trump at 50% and Sen. Rubio at 16%.

Politics Notebook: Kasich Draws Attention For 'Kitchen' Remark, Signs PP 'Defund' Bill; Poll Shows 74% Of Ohioans Support Medicinal Pot...

Remarks from Gov. John Kasich on women leaving their kitchens to campaign for him drew quick backlash Monday, one day after the governor signed a bill to "defund" Planned Parenthood in Ohio.

The governor made the remark during a town hall in Fairfax, Va., as he sought to explain how he was elected to the Ohio Senate in 1978.

"We just got an army of people and many women who left their kitchens to go out and go door to door and put yard signs up for me," he said according to video that first caught attention.

The initial video, posted by a YouTube account that has released a handful of previous anti-Kasich videos, did not show how Mr. Kasich concluded the remark.

Subsequent video of the full remark added context, showing that Gov. Kasich went on to say that campaign occurred "all the way back when things were different. Now you call homes and everybody's out working. But at that time, early days, it was an army of the women that really helped me get elected to the state Senate."

Twitter users quickly seized upon the statement, followed closely by national media outlets.

Kasich for America spokesman Chris Schrimpf responded to the outcry, saying in a statement that the governor's campaigns have "literally been run out of his friends' kitchens and many of his early campaign teams were made up of stay-at-home moms who believed deeply in the changes he wanted to bring to them and their families."

"That's real grassroots campaigning and he's proud of that authentic support," Mr. Schrimpf said. "To try and twist his comments into anything else is just desperate politics."

The Ohio Democratic Party subsequently painted the governor as out of touch, accusing him of giving *Mad Men* television character and womanizer "Don Draper a run for his money."

The remarks came one day after the governor signed a bill (HB 294) to eliminate \$1.3 million in state funding to Planned Parenthood. (See Gongwer Ohio Report, February 10, 2016)

The Planned Parenthood Action Fund said the bill will have "devastating consequences for women" across the state.

"John Kasich is proudly eliminating care for expectant mothers and newborns; leaving thousands without vital STD and HIV testing, slashing a program to fight domestic violence, and cutting access to essential, basic health care," President Cecile Richards said. "It's clear Kasich has no regard for women's health or lives and will stop at nothing to slash health care for millions."

Ohio Right to Life, in contrast, praised the bill's signing.

"Thanks to the pro-life leadership of Gov. Kasich and his work with Ohio Right to Life, Ohio's abortion industry is shrinking," ORTL President Mike Gonidakis said. "As Planned Parenthood haggles over the hearts and brains of aborted babies, Ohio Right to Life is marking history with legislation that is both ethically consistent and fiscally responsible."

Pot Amendment: A poll released Monday by Marijuana Policy Project showed nearly three-fourths of Ohio voters support amending the constitution to legalize medical marijuana for those with terminal or debilitating petitions.

The poll, conducted by Public Policy Polling, shows that 74% of voters support a proposed amendment, with 22% opposed, according to a news release.

"It's become pretty common knowledge that marijuana can be incredibly beneficial in the treatment of a variety of medical conditions," Mason Tvert, a spokesman for Ohioans for Medical Marijuana, a committee that has been formed to support MPP's forthcoming ballot initiative, said in a statement.

"It's not surprising that a vast majority of voters agree patients should be allowed to consume it if their doctors think it could be helpful. There are few laws still on the books that are as unpopular as those that prohibit sick and dying people from accessing medical marijuana."

According to the poll, 85% of self-identified Democrats and 69% of self-identified Republicans said they supported legalizing medical marijuana.

Ohioans for Medical Marijuana is drafting a ballot initiative and expects to start the petition process later this month, according to the release. Another pro-marijuana group has already suspended its petition efforts in favor of supporting the MPP-backed proposal. (See Gongwer Ohio Report, February 19, 2016)

"Ohio's current marijuana policy is antiquated and inhumane," Mr. Tvert said. "We hope to give voters an opportunity to change that this November. We're confident that most Ohioans will support a well-written initiative that gives seriously ill people the right to use medical marijuana if their doctors recommend it."

8th Congressional District: Sen. Bill Beagle (R-Tipp City) on Sunday announced he has earned the support of Butler County Sheriff Richard Jones and Montgomery County Sheriff Phil Plummer in the race to succeed former U.S. Rep. John Boehner.

Sen. Beagle is among more than a dozen GOP candidates vying for the seat in an upcoming special election. Sen. Beagle and Rep. Tim Derickson (R-Oxford) are the two most high-profile contenders.

U.S. Senate Race: A poll from the Democratic polling outfit PPP shows U.S. Sen. Rob Portman (R-Terrace Park) battling weak approval numbers.

The poll found the senator with a 30-39% approval rating, placing him "very much in the danger zone for reelection based on those low approval numbers," according to the group.

Former Gov. Ted Strickland and Cincinnati Councilman PG Sittenfeld are competing in the Democratic primary for the chance to unseat Sen. Portman.

Mr. Sittenfeld on Friday criticized Gov. Strickland for failing to show up to a Monday event at the Cleveland City Club where Mr. Sittenfeld had hoped the candidates would debate. Gov. Strickland has repeatedly rebuffed Mr. Sittenfeld's calls for debates, saying he'd prefer to focus on competing with Sen. Portman.

Court Briefs: High Court Sets Execution Date; Visiting Judge To Hear Case; Web Site On Judicial Candidates Updated

The state's high court has set an execution date for a man convicted of the 2004 killing a Toledo woman who lived who lived in the same apartment complex.

In a 5-2 decision issued with no opinion, the court set an Oct. 17, 2019 execution date for James Frazier.

Justice Paul Pfeifer issued a dissent in the case. He was joined by Justice Terrance O'Donnell.

"At this time, the state is incapable of properly executing the 25 people for whom execution dates have previously been set. It serves no rational purpose for this court to continue to set execution dates while significant logistical obstacles remain in place and more legal challenges are likely," Justice Pfeifer wrote.

In October, the state pushed its earliest execution date back to 2017 due to difficulty in obtaining the drugs used for the lethal injection procedure. (See Gongwer Ohio Report, October 20, 2015)

The state currently has 11 executions scheduled for 2017, eight scheduled for 2018 and six scheduled for 2019.

Bipartisan legislation has been introduced in the House that would end capital punishment in Ohio. (See Gongwer Ohio Report, October 27, 2015)

Web Site Updated: Continuing the effort of Chief Justice O'Connor to create a more informed electorate when it comes to the judiciary, judicialvotescount.org has been updated to provide voters with information about the candidates that will be on the ballot this year, the court reported.

A total of 145 judicial seats will be on the ballot this year, including three Ohio Supreme Court seats, 27 court of appeals seats and 115 common pleas court seats.

The web site provides biographical information on candidates and explanations on why they are running for a particular office, according to the court.

Ran by the Ray C. Bliss Institute of Applied Politics at the University of Akron, the web site was created in the wake of 2014 survey that found many Ohio voters do not vote in judicial elections due to a lack of knowledge about the candidates, the court reported.

According to the chief justice, on average, about 25% of voters who go to the polls do not cast ballots for judicial candidates. In Cuyahoga County in 2012, she said, about 40% of voters neglected to vote for judicial candidates. (See Gongwer Ohio Report, February 11, 2016)

Other partners in the non-profit web site include Chief Justice O'Connor, the League of Women Voters of Ohio, the Ohio State Bar Association, the Ohio Newspaper Association and the Ohio Association of Broadcasters.

Visiting Judge: Tenth District Court of Appeals Judge Elizabeth Schuster will hear oral arguments Tuesday in a lawyer malpractice case.

Judge Schuster will fill in for Chief Justice Maureen O'Connor, who recused herself in the case of *Ratonek v. Roetzel & Andress*.

At issue in the case is whether a Dayton law firm can be used for malpractice for failing to pursue claims that were not in the written agreement but were discussed between the law firm and the client and whether it can be sued for malpractice if it pursues a legal claim sought by the client, but withdraws it and advises the client to seek other counsel to pursue the claim or represent themselves, according to the court.

The case stems from a malpractice lawsuit a California woman filed against another law firm after she claimed it caused her to lose \$1 million in a real estate transaction. The Dayton law firm was originally hired to represent her in that case.

Capitol Scene: Chabria To Leave Gov's Office, Join ORP; Staff Changes Announced At Buckeye Institute, AICUO, HPIO

Jai Chabria, a key executive staff member for Gov. John Kasich, is leaving the governor's office to work for the Ohio Republican Party.

Mr. Chabria has served as senior advisor to Mr. Kasich since he took office in 2011. That job entailed vetting Mr. Kasich's appointments, among other things.

"I am enormously grateful to Jai for his many years of friendship, counsel and outstanding public service to me and the people of Ohio," Mr. Kasich said in a statement. "While it is difficult to see Jai move on, I know that great things lie ahead for him in this next phase of his career. I look forward to our continued deep friendship."

Mr. Chabria's last day with the governor's staff is Friday. The Powell resident's job at ORP was described by the party as "a senior position that will oversee the preparation and planning for the Republican National Convention in Cleveland in July."

"The world spotlight will be on Cleveland in July as our party nominates the next President of the United States. It's a tremendous and exciting opportunity for Ohio," ORP Chairman Matt Borges said. "Jai is a seasoned professional with top notch experience. We are pleased to have him join our team as we plan and prepare for the convention."

AICUO: Andrew Lampkins has joined the staff of the Association of Independent Colleges and Universities of Ohio as director of external relations, the group announced recently.

He previously served dual roles with the Center for Healthy Families as the director of outreach and engagement and with Lardon & Associates as a director of business development.

Mr. Lampkins' prior experience includes serving as the community & small business manager for Vermont Energy Investment Corporation. The Otterbein University graduate

will be responsible for AICUO's affiliate member program, inter-college collaborations, events and educational programming, and the expansion of the group's member energy conservation and sustainability initiative.

Buckeye Institute: Daniel J. Dew has joined the staff of the Buckeye Institute for Public Policy Solutions as a full-time Criminal Justice Fellow, the group announced.

A published author on criminal justice issues and a former Visiting Legal Fellow at The Heritage Foundation in Washington, D.C., Mr. Dew will focus on efforts to revise Ohio's criminal code and updating the state's civil asset forfeiture law, among other things, according to the institute.

"Daniel is a national expert on criminal law, and we are pleased to bring him on to expand Buckeye's capacity to formulate sound criminal justice policy for Ohio that can be easily replicated in other states," institute President and CEO Robert Alt said in a release.

HPIO Hire: Former state employee Rebecca Sustersic has been hired as a policy analyst with the Health Policy Institute of Ohio, the group announced recently.

Reem Aly and Amy Bush Stevens have been promoted to vice president and Sarah Bollig Dorn has been promoted to manager, Health Policy and Education, the group said.

Ms. Sustersic was previously employed at the Ohio Bureau of Workers' Compensation for three years, first as a health care policy analyst and more recently as manager of medical reimbursement and coding policy, according to HPIO. She holds degrees from Ohio State University and Bowling Green State University. Ms. Sustersic also served as a Legislative Service Commission fellow in 2009.

Gongwer Statehouse Job Market Updated

Gongwer's Statehouse Job Market has been updated. The update is available on the Gongwer website.

Subscribers interested in posting job openings on Gongwer's employment board can send job descriptions and other information to gongwer@gongwer-oh.com.

Supplemental Agency Calendar

Tuesday, February 23

Racing Commission, 77 South High St., Room 1960, Columbus, 10 a.m.

Thursday, February 25

Ethics Commission, Rm. G, 3rd Fl., 30 E. Spring St., Columbus, 12 p.m.

Supplemental Event Planner

Tuesday, February 23

**Quinnipiac University to release poll of Ohio likely voters on presidential primary
Ohio senators, faith leaders, others
news conference on ending "pregnancy discrimination", Press Conf. Rm., Statehouse,
Columbus, 11 a.m.**

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House Activity for Monday, February 22, 2016

INTRODUCED

HB 471 ■ **COMMISSION ELIMINATION** (Brown, T.) To formally abolish certain boards and commissions that have completed their work and to abolish the Compact with Ohio Cities Task Force.

HB 472 ■ **RENEWABLE ENERGY** (Strahorn, F.) To unfreeze the requirements for renewable energy, energy efficiency, and peak demand reduction, to permit changes in and Public Utilities Commission action on electric distribution utility portfolio plans in 2016, to revise the setback requirement for economically significant wind farms, and to repeal the setback requirement for wind farms of fifty megawatts or more.

CALENDAR FOR COMING SESSION

SB 124 ■ **AWARENESS DAY/MONTH** (Thomas, C.) To designate May as "Asthma Awareness Month" and to designate May 5 as "Childhood Asthma Awareness Day."

HB 241 ■ **MONTH DESIGNATION** (Grossman, C., Curtin, M.) To designate the month of September as "Hunger Action Month."

HB 290 ■ **TERMINAL PATIENTS** (Sprague, R., Anielski, M.) To permit a physician to treat a terminally ill patient with a drug that is not approved by the United States Food and Drug Administration and permit a drug manufacturer to provide such a drug to the patient or physician.

HB 305 ■ **RETIREMENT SYSTEMS** (Schuring, K.) To include new nonteaching employees of The University of Akron as members in the Public Employees Retirement System and to make an appropriation for the University's School Employees Retirement System employer surcharge payments.

HB 325 ■ **DRUG ADDICTION TREATMENT** (Green, D., O'Brien, S.) Regarding encouraging pregnant women who are addicted to controlled substances to seek treatment.


HCR 21 ■ **DD EMPLOYMENT SERVICES** (Romanchuk, M., Antonio, N.) To urge the Congress of the United States to request that the federal Centers for Medicare and Medicaid Services revise its guidance on employment services for individuals with developmental disabilities to maintain their right to participate in programs offered by facility-based day programs, training centers and sheltered workshops.

SIGNED BY THE GOVERNOR

HB 294 ■ **ABORTION** (Patmon, B., Conditt, M.) To require the Department of Health to ensure that state funds and certain federal funds are not used either to perform or promote nontherapeutic abortions, or to contract or affiliate with any entity that performs or promotes nontherapeutic abortions; to provide for health departments and WIC clinics to determine presumptive eligibility for pregnant women and children; and to allocate existing funding within the Ohio Department of Health's budget to the Ohio Association of Community Health Centers for safe sleep, birth spacing, and smoking cessation initiatives.
(Enacted)
Signed: February 21, 2016
Gongwer Coverage

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Senate Activity for Monday, February 22, 2016

SENATE PRESIDENT'S APPOINTMENTS

Legislative Committee on Public Health Futures: Appoint Sen. Yuko and Carla Hicks

Capitol Square Review & Advisory Board: Appoint Sen. Peterson to replace former Sen. Widener

Sunset Review Committee: Appoint Sen. Coley to replace former Sen. Widener


SIGNED BY THE GOVERNOR

SB 260 ■
(Enacted)

CAPITAL REAPPROPRIATIONS (Coley, B.) To make capital reappropriations for the biennium ending June 30, 2018.
Signed: February 21, 2016

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Daily Activity Planner for Tuesday, February 23

Legislative Committees

House Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 018, 9 a.m.

- HB 455** **BOARDING SCHOOL ZONE** (Patterson, J., Roegner, K.) To authorize a municipal corporation or township to establish a boarding school zone and a special speed limit within that zone. (1st Hearing-Sponsor)
- HB 407** **BODY CAMERAS** (Boyce, K., Grossman, C.) To require law enforcement agencies that use body cameras to adopt written policies for operation of the cameras and to require agencies to make the adopted policies available to the public. (2nd Hearing-Proponent)
- HB 361** **COMMUNITY EVENT FUNDING** (Brenner, A.) To authorize boards of township trustees and boards of park commissioners to expend funds for the public purpose of presenting community events in their parks and at other recreational facilities. (3rd Hearing-All testimony-Possible amendments & vote)
- HB 375** **SNOW REMOVAL** (Brown, T., Arndt, S.) To authorize townships to require the removal of snow and ice from sidewalks abutting property and to impose a fine for failure to do so. (3rd Hearing-Opponent & interested party)
- HB 333** **BIDDING THRESHOLDS** (Schaffer, T., Hambley, S.) To increase the monetary thresholds above which competitive bidding is required for township road construction, repair, or maintenance contracts, and to increase the monetary thresholds above which a force account assessment is required for a township road construction, repair, or maintenance project. (3rd Hearing-Opponent & interested party)
- HB 378** **TRAFFIC ARRESTS** (Hambley, S., Rezabek, J.) To authorize law enforcement officers of township police districts and joint police districts, and township constables, serving specified small populations to make arrests for motor vehicle-related violations committed on an interstate highway in the same manner as township law enforcement officers serving larger populations. (3rd Hearing-Opponent & interested party)
- HB 413** **EXECUTIVE SESSION** (Brinkman, T.) To add to the purposes for which a board of township trustees may go into executive session, to permit a township to charge for recycling services, to reduce the population threshold for a township to adopt a limited home rule form of government, to authorize a township to purchase, lease, or provide underwater rescue and recovery equipment for fire and rescue purposes, to authorize boards of township trustees to pay for group life insurance for any employee, to make other changes to the township laws, to allow taxing units to use the proceeds of a

fire, police, or emergency services tax levy to pay costs related to the service for which the tax is levied, and to expand the public infrastructure improvements townships, municipal corporations, and counties may pay for using money from their public improvement tax increment equivalent funds. (3rd Hearing-Opponent & interested party)

HB 462

POLICE DISTRICT (Hagan, C., Sprague, R.) To establish a joint police district, to modify the membership of a joint police district governing body, to expand the offense of solicitation to also apply to a person who agrees with another to engage with the other person in sexual activity for hire, to provide that the "prescription exemption" from the drug possession offenses does not apply to a person who uses more of the drug than the maximum prescribed amount per day or the maximum amount to be used within the prescription timeline or who administers or takes the drug in a manner not prescribed by the prescribing health professional, and to provide immunity from civil liability to a peace officer who administers naloxone to a person who is apparently experiencing an opioid-related overdose. (1st Hearing-Sponsor)

Senate Ways & Means (Committee Record) (**Chr. Peterson, B., 466-8156**), **South Hearing Rm., 9 a.m.**

HB 9

TAX EXPENDITURES (Boose, T.) To create a Tax Expenditure Review Committee for the purpose of periodically reviewing existing and proposed tax expenditures. (3rd Hearing-All testimony)

SB 264

TAX HOLIDAY (Bacon, K.) To provide for a permanent three-day sales tax "holiday" each August during which sales of back-to-school clothing and school supplies are exempt from sales and use taxes. (2nd Hearing-All testimony-Possible amendments & vote)

HB 233

REDEVELOPMENT DISTRICTS (Schuring, K.) To authorize municipal corporations to create downtown redevelopment districts and innovation districts for the purposes of promoting the rehabilitation of historic buildings, creating jobs, encouraging economic development in commercial and mixed-use areas, and supporting grants and loans to technology-oriented and other businesses. (3rd Hearing-All testimony-Possible amendments & vote)

House Transportation & Infrastructure (Committee Record) (**Chr. Boose, T., 466-9628**), **Rm. 122, 9:30 a.m.**

SB 182

ROAD NAMING (Balderson, T., Peterson, B.) To designate a portion of United States route twenty-three within Pickaway County as the "Army Specialist Gerald R. Jenkins Memorial Highway" and a portion of United States route sixty-two within Pickaway County as the "Army PFC Kevin C. Ott Memorial Highway." (1st Hearing-All testimony-Possible amendments, substitute & vote)

HB 461

LICENSE PLATE (Roegner, K.) To establish the Cuyahoga Valley National Park license plate and to require a \$15 contribution for the issuance of the license plate. (1st Hearing-Sponsor)

Senate Insurance (Committee Record) (Chr. Hottinger, J., 466-5838), South Hearing Rm., 10:30 a.m.

HB 207 WORKERS COMPENSATION (Henne, M., McColley, R.) To allow a state fund employer to have a workers' compensation claim that is likely to be subrogated by a third party paid from the surplus fund account in the state insurance fund rather than charged to the employer's experience (1st Hearing-Sponsor)

SB 273 CORPORATE GOVERNANCE (Bacon, K.) To enact the Corporate Governance Annual Disclosure Act. (1st Hearing-Sponsor)

SB 27 FIREFIGHTER CANCER (Patton, T.) To provide that a firefighter who is disabled as a result of specified types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter. (3rd Hearing-Opponent & interested party)

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.

Senate Public Utilities (Committee Record) (Chr. Seitz, B., 466-8068), North Hearing Rm., 11 a.m.

- **Confirmation hearing on governor's appointment of Andre Porter, chairman, Public Utilities Commission of Ohio**

House Rules & Reference (Committee Record) (Chr. Amstutz, R., 466-1474), Rm. 119, 11:30 a.m. or after session

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11:30 a.m.

House Ways & Means (Committee Record) (Chr. McClain, J., 644-6265), Rm. 121, 1:30 p.m. or after session

HB 334 TAX EXEMPTION (Buchy, J.) To exempt memberships to gyms or other recreational facilities operated by nonprofit organizations from sales and use taxation. (3rd Hearing-All testimony-Possible amendments & vote)

HB 297 TAX CREDIT (Hill, B.) To authorize a refundable income tax credit for current livestock owners who invest in a manure storage or treatment facility or acquire manure application equipment or manure handling and transportation equipment. (2nd Hearing-Proponent)

House Government Accountability & Oversight (Committee Record) (Chr. Brown, T., 466-8104), Rm. 114, 1:30 p.m.

HB 444 ALCOHOL SAMPLES (Blessing, L.) To allow certain D liquor permit holders to provide free tasting samples of beer, wine, and spirituous liquor to a person who is 21 years old or older and a paying customer of the permit holder. (1st Hearing-Sponsor)

HB 351 LIQUOR LAWS (Perales, R., DeVitis, T.) To increase the amount of spirituous liquor that an A-3a liquor permit holder may annually manufacture and to allow an A-3a permit holder to obtain an A-1-A liquor permit. (6th Hearing-All testimony-Possible amendments & vote)

HB 278 **HUMANE SOCIETIES** (Hambley, S.) To require approval by the board of county commissioners, instead of the probate judge, of appointments of agents by county humane societies outside a municipal corporation, to specify that a county humane society is a political subdivision, to make its directors, agents, officers, and employees subject to the Ethics Law, and to increase the salaries paid to the agents. (3rd Hearing-Opponent)

Senate Session (Chr. Faber, K., 466-4900), **Senate Chamber, 1:30 p.m.**

House Education (Committee Record) (Chr. Brenner, A., 466-6711), **Rm. 121, 2 p.m. or after session**

- **SB3 and ODE presentation removed from the agenda**

HB 441 **SCHOOL ACTIVITIES** (McColley, R.) To permit a student enrolled in a nonpublic school to participate in interscholastic activities at a school district that is not the student's resident district under certain circumstances and to prohibit a student who participates in the College Credit Plus program from being denied the opportunity to participate in interscholastic athletics solely due to participation in the program. (1st Hearing-Sponsor)

HB 383 **FINANCIAL LITERACY** (Hagan, C., McColley, R.) To require one-half unit of economic and financial literacy in the high school social studies curriculum, to require the Chancellor of Higher Education to prepare an informed student document for each state institution of higher education, to require the State Board of Education to include information on the informed student document in the standards and model curricula it creates for financial literacy and entrepreneurship, and to entitle the act the "Informed Student Document Act." (2nd Hearing-Sponsor)

HB 401 **PRIVATE SCHOOLS** (Brinkman, T.) With regard to requirements for chartered nonpublic schools. (3rd Hearing-Proponent)

HB 410 **TRUANCY** (Rezabek, J., Hayes, B.) With regard to habitual and chronic truancy and compulsory school attendance. (3rd Hearing-All testimony)

Senate State & Local Government (Committee Record) (Chr. LaRose, F., 466-4823), **North Hearing Rm., 2:30 p.m. or after session**

SB 257 **REAL PROPERTY** (Seitz, B., Skindell, M.) To create a presumption of validity of recorded real property instruments, reduce the time period for curing certain defects related to those instruments, and provide constructive notice for those instruments. (1st Hearing-Sponsor)

HB 359 **ADDRESS CONFIDENTIALITY** (Duffey, M., Gonzales, A.) To create an address confidentiality program for victims of domestic violence, menacing by stalking, human trafficking, trafficking in persons, rape, or sexual battery. (1st Hearing-Sponsor)

HB 158 **DISABILITY TERMS** (Dever, J., Howse, S.) To change the variations of the term "mentally retarded" to "person with an intellectual disability." (1st Hearing-Sponsor)

- HB 242** **DAY DESIGNATION** (Hagan, C., Dever, J.) To designate the fourth Sunday of July as Blue Star Mothers Day. (2nd Hearing-All testimony-Possible vote)
House Judiciary (Committee Record) (Chr. Butler, J., 644-6008), Rm. 116, 3:30 p.m.
- HB 347** **CIVIL FORFEITURES** (McColley, R., Brinkman, T.) To eliminate civil asset forfeiture proceedings and to modify the law governing criminal asset forfeitures. (7th Hearing-Possible amendments & vote)
- SB 215** **VEHICLE FORCIBLE ENTRY** (Hughes, J., LaRose, F.) To grant a person immunity from civil liability for any damage resulting from the forcible entry of a motor vehicle for the purpose of removing a minor or an animal from the vehicle because the minor or the animal is in imminent danger of suffering harm. (1st Hearing-Sponsor)
- HB 446** **OVI OFFENSES** (Manning, N.) To specify that the prison term that may be imposed for a third degree felony operating a vehicle while intoxicated ("OVI") offense is a definite period of twelve, eighteen, twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty-four, or sixty months, to add "harmful intoxicant" to the definition of "drug of abuse" for the purposes of commercial driver's licensing law, to allow a person to assert the existing affirmative defense of driving in an emergency with regard to a prosecution for driving under a suspended driver's license under specified laws, and to specify that certain enhanced penalties for speeding violations apply regardless of whether the offender previously has been convicted of or pleaded guilty to speeding. (1st Hearing-Sponsor-Possible amendments)
- HB 451** **PROTECTION ORDERS** (Boose, T.) To provide that an individual's statutory priority to decide whether or not to withhold or withdraw life-sustaining treatment for the individual's relative is forfeited if the individual is the subject of a temporary protection order or civil protection order and the relative is the alleged victim or if the individual and the relative are married and the parties to a divorce, dissolution, legal separation, or annulment proceeding. (2nd Hearing-Sponsor-Possible amendments)
- HB 439** **VOYEURISM** (Anielski, M.) To include an impaired person as a victim of voyeurism and to include conduct involving an impaired person within the offenses of pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, and illegal use of a minor in a nudity-oriented material or performance. (2nd Hearing-Proponent)
- HB 432** **ESTATE LAW** (Rezabek, J.) To revise the law governing decedent's estates by making changes in the Ohio Trust Code, the Probate Law, the Uniform Principal and Income Act, the Transfers to Minors Act, and the Uniform Simultaneous Death Act. (2nd Hearing-Proponent)
- HB 436** **DUI SENTENCES** (Cupp, R., Rogers, J.) To authorize a judge that grants limited driving privileges to a second-time OVI offender to order the termination of the mandatory immobilization order. (2nd Hearing-Proponent)
- HB 222** **TRANSIT WORKER ASSAULTS** (Driehaus, D., Perales, R.) To increase the penalty for assault when the victim is an employee of an Ohio transit

system whom the offender knows or has reasonable cause to know is such an employee engaged in the performance of the victim's duties; to permit the court to impose a fine of up to \$5000 and a six-month or lifetime prohibition from riding an Ohio transit system for assault committed in such specified circumstances; to authorize Ohio transit systems to post a warning sign indicating that abuse or assault of staff will not be tolerated and might result in a felony conviction; and to increase the penalty for evading payment of the known fares of a public transportation system. (2nd Hearing-Proponent)

HB 363

JUVENILE HEARINGS (Reece, A.) To require restraints to be removed from an alleged or adjudicated delinquent child prior to the commencement of a juvenile court hearing or proceeding unless the court determines that the use of restraints is necessary to prevent physical harm to the child or another person or to prevent the child from escaping. (2nd Hearing-Proponent)

House Armed Services, Veterans Affairs & Public Safety (Committee Record) (Chr. Johnson, T., 466-2124), Rm. 017, 3:30 p.m.

HB 173

VETERAN IDENTIFICATION (Anielski, M., Terhar, L.) To authorize county recorders to issue Ohio veterans identification cards. (4th Hearing-All testimony-Possible substitute & vote)

HB 295

LICENSE PLATE (Ruhl, M.) To create the "Global War on Terrorism Civilian Service Medal" license plate. (2nd Hearing-All testimony-Possible vote)

HB 104

LICENSE PLATE DISPLAY (DeVitis, T.) To specify that failure to display a license plate on the front of a motor vehicle that is required to display a license plate on the front and rear of the vehicle is a secondary traffic offense, to establish a maximum fine of \$25 for such an offense, and to amend the version of section 4503.21 of the Revised Code that is scheduled to take effect January 1, 2017, to continue the provisions of this act on and after that effective date. (3rd Hearing-Possible vote)

HB 388

OVI OFFENSES (Scherer, G.) To authorize a court to grant unlimited driving privileges with an ignition interlock device to first-time OVI offenders, to expand the penalties related to ignition interlock device violations, to modify the law governing the installation and monitoring of ignition interlock devices, to extend the look back period for OVI and OVI-related offenses from six to ten years, and to modify the penalties for OVI offenses. (3rd Hearing-All testimony)

Sunset Review Committee (Committee Record) (Chr. Brown, T., 466-8104), South Hearing Rm., 3:30 p.m.

- **Agency reports from Reclamation Commission, Reclamation Forfeiture Fund Advisory Board, Board of Cosmetology, Optical Dispensers Board, Child Care Advisory Council, Child Support Guideline Advisory Council, Children's Trust Fund Board, Unemployment Compensation Advisory Council, State Victims Assistance Advisory Committee, Ohio Expositions Commission, Data Collection and Analysis Group, Dentist Loan Repayment Advisory Board, Help Me Grow Advisory Council, Hospital Measures Advisory Council, Infant Hearing Screening Subcommittee, Infection Control Group, Intergovernmental Council**

and Advisory Panel of the Lupus Educational and Awareness Program, Legislative Committee on Public Health Futures, Maternity and Newborn Advisory Council, Medically Handicapped Children's Medical Advisory Council, Physician Loan Repayment Advisory Board, Radiation Advisory Council, The Director of Health's Advisory Group on Violent Deaths, The Director of Health's Committee on Concussions and Head Injuries Sustained by Athletes, Council to Advise on the Establishment and Implementation of the Birth Defects Information System and Ohio Medical Quality Foundation

Agency Calendar

Board of Landscape Architects, 77 S. High St., 31st Flr. Board Room, Columbus, 9 a.m.

Southern Ohio Agricultural & Community Development Foundation, Foundation Office, 100 S. High St., Hillsboro, 9:30 a.m. (Agriculture Development Subcommittee)

Racing Commission, 77 South High St., Room 1960, Columbus, 10 a.m.

Southern Ohio Agricultural & Community Development Foundation, Foundation Office, 100 S. High St., Hillsboro, 11:30 a.m. (Educational Subcommittee)

Public Facilities Commission, 35th Fl., 30 E. Broad St., Columbus, 4 p.m.

Event Planner

Nevada Republican caucuses

Ohio Federation of Soil and Water Conservation Districts' (OFSWCD) 73rd annual conservation partnership conference, Renaissance Hotel, 50 N. 3rd St., Columbus
Quinnipiac University to release poll of Ohio likely voters on presidential primary
Cincinnati USA Regional Chamber Legislative Breakfast Reception, Athletic Club of Columbus, 136 E. Broad St., Columbus, 9:30 a.m.

Ohio senators, faith leaders, others news conference on ending "pregnancy discrimination", Press Conf. Rm., Statehouse, Columbus, 11 a.m.

Rep. John Bocchieri (D-Poland) fundraiser, The Chintz Room, 121 S. High St., Columbus, 5 p.m., (Sponsor: \$1,000, \$500, \$250 to John Bocchieri for Ohio Committee)

Ohio Council of Retail Merchants annual legislative reception, The Lounge at the Athletic Club of Columbus, 136 E. Broad St., Columbus, 5 p.m.

Sen. Peggy Lehner (R-Kettering) fundraiser, Athletic Club of Columbus, Tally Ho Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000, Event Sponsor \$500, Individual \$350 to Citizens for Lehner)

Sen. Frank LaRose (R-Copley) fundraiser, Athletic Club of Columbus, The Gold Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000, Event Sponsor \$500, Individual Attendee: \$350 to LaRose for Senate)

Rep. Stephen Slesnick (D-Canton) fundraiser, The Chintz Room, 121 S. High St., Columbus, 5 p.m., (Sponsor: \$1,000, \$500, \$250 to Committee to Elect Stephen Slesnick)

Rep. Jim Butler (R-Oakwood) and Sen. Bill Seitz (R-Cincinnati) fundraiser, Athletic Club of Columbus, Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Butler for Ohio and/or Seitz for Senate Committee)

Conservative Energy Day Reception, Statehouse Museum Gallery, Columbus, 5:30 p.m., (RSVP to Mike Hartley at mike@swingstatestrategies.com)

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Ohio Report for Monday, April 11, 2016

House, Senate Chairs Set Criminal Justice Legislative Priorities For Coming Months

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Bill Would Create Registry Of Parkinson's Patients To Aid In Research, Treatment

Graduates, ODE Tout First-Year Results Of Adult Diploma Program

AEP Names New Ohio COO; EDF Praises Kasich Administration For New Leak Detection Measure For Oil And Gas Facilities...

High Court To Hear Public Records Case Next Week; Oral Arguments Set In Five Other Cases

National Report: Ohio's Affordable Housing Lags Behind Needs Of Low Income Renters

Education Notes: 44 Applicants Seeking Superintendent Job; AG Says College, University Foundations Can Be Audited

Agency Briefs: Elevated Lead Levels Found In Statehouse Drinking Fountain; ODNR Awards Marine Patrol Grants; OEPA; Civil Rights...

Politics Notebook: Strickland Proposes Five Debates, Portman Campaign Aims To Contact 50K Voters; Buckeye Institute Slams Capital Bill; Planned Parenthood And Ohio Right To Life To Hit Statehouse...

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Volume #85, Report #69 -- Monday, April 11, 2016

House, Senate Chairs Set Criminal Justice Legislative Priorities For Coming Months

The legislator who leads the Senate Criminal Justice Committee said his goal for the group over the next several months is to avoid interfering with the work of the Criminal Recodification Committee.

Chairman Sen. John Eklund (R-Chardon) said in an interview he does not want to move legislation before lawmakers break for the summer that could be at odds with recommendations from the committee charged with reviewing the state's criminal codes.

"I want to avoid doing anything that is going to be disruptive of the work that the Recodification Committee is doing," he said.

However, Sen. Eklund, a member of the ad hoc panel, also said his standing committee is "not going to be paralyzed."

One of his legislative priorities, he said, is a bipartisan bill (HB 164) sponsored by Rep. John Rodgers (D-Mentor-on-the-Lake) and Rep. Dorothy Pelanda (R-Marysville).

The measure, which already cleared the House, allows non-violent ex-offenders to have their records sealed if they have complied with all court ordered sanctions. (See Gongwer Ohio Report, February 24, 2016)

"That strikes me as a positive initiative," Sen. Eklund said.

Although acknowledging that the legislation may be too complex to move through the committee before the General Assembly's summer recess, Sen. Eklund said another bill he is very interested in is one that would end the death penalty for those that suffer from certain severe mental illnesses at the time of their crimes.

Sponsored by Sen. Bill Seitz (R-Cincinnati) and Sen. Sandra Williams (D-Cleveland), the bill (SB 162) is facing opposition from the Ohio Prosecuting Attorneys Association. (See Gongwer Ohio Report, January 27, 2016)

"It's a big bill. It's an important bill. I don't know that it's something that we can get done that quickly," Sen. Eklund said, adding that discussions with OPAA are ongoing.

Another measure he hopes to get to the Senate floor that he does not feel would conflict with the work of the Recodification Committee is a bill (HB 151) sponsored by Rep. Marlene Anielski (R-Independence) designed to combat cyber stalking. (See Gongwer Ohio Report, October 7, 2015)

On the House side, Chairman Rep. Jim Butler (R-Oakwood), who said he has been in close contact with members of the Recodification Committee, has several legislation priorities he desires to move through the House Judiciary Committee in the coming months. (See Gongwer Ohio Report, March 29, 2016)

One is a bill (SB 76) sponsored by Sen. Kevin Bacon (R-Minerva Park) and Sen. Gayle Manning (R-N. Ridgeville) that specifies the actual servicing of a protective order or consent agreement to the targeted individual isn't necessary for a violation charge if the person knew of the order and "recklessly violated" its terms. (See Gongwer Ohio Report, September 30, 2015)

The measure was introduced after the Ohio Supreme Court overturned the conviction of a man because he had not been officially served with a protective order by an officer of the court.

"There some disagreement between the House and Senate on this issue, but I'm optimistic we can come up with a compromise on this bill," Rep. Butler said.

Another priority, according to Rep. Butler is a bill (SB 215) sponsored by Sen. Jim Hughes (R-Columbus) and Sen. Frank LaRose (R-Copley Twp.) that would provide civil immunity to those who break into cars to rescue animals or children. (See Gongwer Ohio Report, February 10, 2016)

"In general I think the concept is a correct one," Rep. Butler said.

He said he also expects to take up a measure (HB 307) sponsored by Rep. Pelanda designed to provide judges with more discretion in imposing driver's license suspensions for drug-related offenses that did not involve a vehicle. (See Gongwer Ohio Report, October 13, 2015)

Also likely to be a priority for the committee, according to Rep. Butler, is a bill (HB 283) to require DNA testing for certain misdemeanor sex crimes and another bill (HB 268) designed to make it easier for victims of human trafficking to expunge their records.

"I do hope we'll be able to pass those out of committee," Rep. Butler said.

Sunset Review Process About Half Completed; Committee Expected To Wrap Up Work In May

About halfway through the Sunset Review process, dozens of entities have said their services are no longer needed.

"We already have a decent number," said Sen. Kris Jordan (R-Ostrander), who chairs the Sunset Review Committee.

In fact, a total of 40 entities have asked to be sunset, including the Labor-Management Government Advisory Council, the Ohio Parks and Recreation Council and the Ohio Housing Study Committee.

Sen. Jordan said he expects more entities will ask to be discontinued as the process moves forward. The panel's next meeting is 3:30 p.m. Tuesday.

"There will be more," he said. "Every time we have hearings, there are a number of agencies and boards that ask to be sunset."

Not only does Sen. Jordan anticipate more entities to ask to be sunset, he also expects the committee to make some cuts of its own.

"There are a few members of the committee that are looking at additional boards and commissions to be addressed," he said, adding additional hearings would likely be necessary in that case to allow the entities to justify their continued existence.

When all is said and done, Sen. Jordan said, he does not expect the process to result in substantial savings for taxpayers. He does, however, hope the committee's work will improve the business climate across the state.

"Hopefully beyond saving some money, it will get government out of the way of different businesses and entrepreneurs," he said.

Sen. Jordan, though, would like to go farther.

"I would probably like to see more get cut than will actually get cut. But it's a committee process," he said. "There may be some on the other side that think we are going a little bit too far."

Sen. Jordan said he expects the committee to wrap up its work in May and issue a report some time thereafter.

"I'm not sure if we are actually going to get the bill passed until later in the year," he said.

Once a bill is introduced, Sen. Jordan said he hopes for it to garner widespread support.

"It depends on how far we go," he said. "I would like to get a bill that most people can agree to."

The review process occurs every six years. Nearly 80 boards, commissions and study panels were eliminated through legislation (SB171, 129th General Assembly) enacted at the end of the last Sunset Review process.

**OCMC Subcommittee To Present Congressional Redistricting Proposal
Thursday**

Members of an Ohio Constitutional Modernization Commission subcommittee plan to have an updated congressional redistricting proposal formed in time for committee discussion Thursday.

The OCMC's Legislative Branch and Executive Branch Committee is scheduled to meet at 2:30 p.m. Thursday - the first meeting since a four-member subcommittee began working in February to reach a compromise agreement on revamping the redistricting process in the spirit of Issue 1.

The full committee initially intended to vote on the measure at its February meeting before several last minute amendments halted the process. Chairman Fred Mills then appointed the subcommittee to come to an agreement on those changes within six weeks. (See Gongwer Ohio Report, February 4, 2016)

Two months later, discussions are ongoing.

But subcommittee member Sen. Charleta B. Tavares (D-Columbus) said in an interview that subcommittee members and staff should have a proposal finalized in time for the committee to discuss it at Thursday's meeting.

"We'll have something to present to the committee on Thursday on where we are," Sen. Tavares said. "We've had discussions with interested parties, with members of the subcommittee, and kind of gone back and forth."

Although the subcommittee has had no informal meetings since its first meeting in March, she said members and staff have continued their discussion over the last month. (See Gongwer Ohio Report, March 9, 2016)

She described the discussions as positive and said she expects the final proposal, which could still be changed by the committee, will honor the spirit of Issue 1, which handed over the legislative mapmaking process to a newly created bipartisan committee.

"We just want to make sure the proposal and our discussion has been focused on how the lines would be drawn and not who is drawing them, which is a good step forward," she said.

Should the subcommittee fail to reach an agreement by Thursday's meeting, members will likely still report to the committee by updating members on its progress.

"The subcommittee will probably present where they are on Thursday and our hopes are we will have something the subcommittee can say is a consensus report because we really want the rules for drawing congressional districts to be specific so it would be difficult for either party to engage in gerrymandering," Sen. Tavares said.

The Thursday unveiling would come just more than a week since Gov. John Kasich's State of the State address, in which the governor doubled down on his call for

lawmakers to embrace change to congressional redistricting. (See Gongwer Ohio Report, April 6, 2016)

"When pure politics is what drives these kinds of decisions the result is polarization and division," the governor said in the speech. "I think we've had enough of it."

Still, Senate President Keith Faber (R-Celina) and House Speaker Cliff Rosenberger (R-Clarksville) have given indications the General Assembly will be sluggish in picking up discussion of the OCMC proposal if it clears the commission.

Sen. Faber said the issue isn't part of his forthcoming agenda, while Rep. Rosenberger called legislative and congressional redistricting are "apples and oranges." (See Gongwer Ohio Report, April 6, 2016)

Bill Would Create Registry Of Parkinson's Patients To Aid In Research, Treatment

A recently introduced bill would make Ohio the fifth state to track data on people who have been diagnosed with Parkinson's disease.

The bill (HB 499), sponsored by Rep. Cheryl Grossman (R-Grove City) and Rep. Kirk Schuring (R-Canton), would authorize the Department of Health to create a registry of patients with Parkinson's and other movement disorders.

Franklin County Auditor Clarence Mingo, who has been diagnosed with Parkinson's disease and helped write the bill, joined Rep. Grossman at a Statehouse news conference Monday, saying that the database is a step toward improving care and research on the condition.

"This data is useful and absolutely necessary not only in the treatment of Parkinson's disease but also in understanding it and thereafter reaching for a cure," Mr. Mingo said.

If the bill passes, Ohio would be the fifth state to create a database of Parkinson's patients, after Utah, California, Nebraska and Washington.

"It will assist us in gathering data that will help researchers in the state and throughout the nation better understand what's happening here in the state of Ohio with that particular disease," Mr. Mingo said. "Understanding that will help us dedicate resources, it will help us identify those who need those resources to the extreme and it will also help us understand, categorially, how it is we should go about finding a cure for Parkinson's disease and otherwise treating it."

About 1 million people have been diagnosed with Parkinson's disease nationwide, Mr. Mingo said, but it's unclear how many people suffer from the condition in Ohio.

"Whether it's 200,000 or 200, we need to know that and understand what's happening here in the state of Ohio with people with Parkinson's disease," he said.

The data would also help shed some light on who the condition affects. Many people who suffer from Parkinson's are elderly, and Mr. Mingo said that means the number of people diagnosed will increase as the population gets older. While the common perception is that it mostly affects older people, he said it affects many others. Mr. Mingo is 44 and publicly announced his diagnosis in 2013.

The bill would allow ODH to draw up rules regarding exactly how the registry would work. The database would allow ODH to release summary data to show trends and help with research. It's unclear at the moment how much the program would cost.

Mr. Mingo said it would also help patients by helping connect them with others who are going through the same thing.

"When you're initially diagnosed with a condition like this your immediate instinct is to look around within your family, throughout your peers and those you know and try to see who else has this disease and what does it mean for a person's life to walk with it," he said.

Rep. Grossman said the bill is another step toward helping those suffering from Parkinson's and other movement disorders.

"Whatever we can do to help the quality of life for Ohioans in meaningful ways, there should be no hesitancy to be able to achieve that goal," she said.

Graduates, ODE Tout First-Year Results Of Adult Diploma Program

The State Board of Education on Monday recognized graduates of the state's adult diploma program, who were among 78 Ohioans to earn diplomas during the pilot year.

The program, which was created through a previous mid-biennium review budget bill (HB 483, 130th General Assembly), enrolls Ohioans ages 22 and older at community colleges and career technical centers where they can simultaneously work toward a diploma and credentials in an in-demand career field.

Stark State Community College, Pickaway-Ross Joint Vocational School, Miami Valley Career Technical Center, Cuyahoga Community College and Penta Career Center were involved in the pilot program, which began this school year. Three other sites received funding through the state budget and will begin accepting students in July. (See Gongwer Ohio Report, July 13, 2015)

"This is probably one of the most exciting things I've had the opportunity to participate in," said Steve Gratz, Senior Executive Director for Student Support and Education Options for the Department of Education.

"This is a game-changer for people. Not only for those individuals, for their families and their communities and so I am just so pleased," he added, saying he believes the program is the first of its kind in the country to offer a diploma issued by the State Board of Education.

Program graduates also spoke to the board, sharing emotional stories of how their lives have been changed for the better because of the credentials and job training they've received.

The state covers the cost of the program, reimbursing pilot sites as students hit milestones, Mr. Gratz said. Because the program is competency based, students work at their own paces toward diplomas.

Michelle Profit, who attended Miami Valley Career Tech, told the board that she couldn't focus in GED classes or during tests so she was never able to obtain a certificate after dropping out of high school during her sophomore year.

Twenty-six years later, she said her dreams of finishing high school have come true thanks to the state offering an additional pathway for individuals older than 21 who never graduated.

"Not only has it fulfilled my heart's desire but it has also given my family a brighter tomorrow," Ms. Profit said, adding that she earned nursing credentials through the program and now works at a hospital.

The law requires pilot sites to offer general instruction in conjunction with training for in-demand jobs that have been identified through OhioMeansJobs and the Governor's Office of Workforce Transformation. To be included on the list, the job must pay at least \$12.54 per hour, which is about \$26,000 per year.

Board members offered support for the graduates, who filled the meeting room and encouraged the administration to continue the program into the next biennium.

"What you've accomplished makes you an inspiration to all of us, especially the more than one million Ohioans who don't have a diploma," Board President Tom Gunlock said.

The state budget included \$5 million in Fiscal Year 2017 to continue the expanded pilot program.

In addition to the Adult Diploma Program, the state has two other options for adults who didn't earn a high school diploma: The GED program and the 22+ program, which is tailored to those who are already employed and are just a few credits short of high school graduation.

AEP Names New Ohio COO; EDF Praises Kasich Administration For New Leak Detection Measure For Oil And Gas Facilities...

AEP has selected Senior Vice President and Treasurer Julie Sloat as the next president and chief operating officer of its Ohio utility unit.

Ms. Sloat will begin her new post May 2, the company announced Monday. She will succeed outgoing President and COO Pablo Vegas, who in March accepted an executive leadership position at Columbia Gas of Ohio parent NiSource. (See Gongwer Ohio Report, March 15, 2016)

AEP Executive Vice President and COO Robert Powers, who will oversee Ms. Sloat in her new role, said her regulatory and financial expertise "will serve us well as we continue our focus on making investments that provide more reliable service, develop renewable power resources and give our Ohio customers tools to control how and when they use electricity."

The company said it expects to soon name a new treasurer to succeed Ms. Sloat.

Ms. Sloat has served as senior vice president and treasurer since January 2013, according to the company, where she oversees the company's treasury, trusts and investments. Between 2009-2013, she was vice president of regulatory case management.

"As important as her business acumen, Julie is able to connect with and develop positive, mutually beneficial relationships with people," Mr. Powers said.

"A native of Bolivar, Ohio, and graduate of the Ohio State University, Julie has strong ties with Ohio companies and community organizations. She knows and loves the Buckeye State and will be focused on how AEP Ohio can best serve our customers and benefit Ohio's economy," he said.

Gas Leaks: The Environmental Defense Fund praised Gov. John Kasich's administration for new plans to reduce air pollution stemming from the oil and gas industry.

Earlier this month, the administration announced it plans to require permits for new and modified equipment at compressor stations, which would require those companies to check for leaks quarterly.

The EDF said those checks will help catch leaking Volatile Organic Compounds and methane, which it said contribute to global warming.

"We applaud Gov. Kasich for, once again, stepping forward to deliver clean air protections that Ohio communities deserve and joining other leading states in regulating harmful methane emissions," EDF President Fred Krupp said in a statement. "Today's announcement underscores that fast-growing recognition that, for natural gas to meet its promise as a lower-carbon fuel, methane emissions can't go unchecked."

The U.S. Environmental Protection Agency has estimated the natural gas sector could be emitting up to 1.7 million metric tons of methane.

"Requiring operators to systematically check equipment for leaks is a proven, cost-effective way to reduce harmful emissions and associated risks to public health and the environment," Senior State Regulatory and Legislative Affairs Manager Andrew Williams said. "We commend the administration for taking this important step and look forward to working with OEPA and other stakeholders to strengthen the proposal."

Ozone Standard: State regulators and interest groups are pushing back on a recent U.S. EPA white paper that they say fails to adequately account for background ozone under a newly lowered federal ozone standard.

Such ozone cannot be controlled by a state because it stems from a natural event, such as a wildfire, or enters the state from another state, according to the Center for Regulatory Solutions.

More than a dozen entities, including state agencies, air quality experts, and business groups have submitted comments protesting what they call "serious flaws" in the paper. They're arguing that the EPA's failure to account for background ozone would "unfairly punish Western states and compromise their ability to comply with the stringent" air quality guidelines adopted last year.

In October, the EPA announced a long-awaited move to lower the federal ozone standard from 75 parts per billion to 70 parts per billion. (See Gongwer Ohio Report, October 1, 2015)

"The agency suggests that the relief mechanisms in the statute are sufficient to address the rare instances where background ozone pushes a state out of compliance," according to the center's comments. "To the contrary, our review reveals that neither assertion is accurate or substantiated by the facts. What is clear, however, is that EPA is trying to regulate something for which the science is still not fully understood."

High Court To Hear Public Records Case Next Week; Oral Arguments Set In Five Other Cases

An attorney representing the Ohio Innocence Project next week will argue that the Ohio Supreme Court should overturn a 1994 ruling and compel the Columbus Division of Police to provide him access to the case file of a man convicted of a 2007 murder.

Cincinnati attorney Donald Caster will argue that the court's ruling in *State ex rel. Steckman v. Jackson* should be overturned because of revision to Criminal Rule 16 made in 2010, the court reported.

In *Steckman*, the court ruled that access to law enforcement evidentiary records should be determined by the discovery rules for criminal cases rather than the Ohio Public Records Act.

Mr. Caster will argue that the that 2010 rule change paved the way for the court to overturn the 1994 decision and allow for the examination of investigatory records once a trial begins.

CDP will argue that it is following the law laid out in the *Steckman* case in denying the records request of Mr. Caster.

According to the court, CDP will claim that many of the records are "specific investigatory work product," which includes personal notes, working papers, memoranda and evidentiary findings, all of which were exempted from public record law in a 1997 case.

The Innocence Network and the Ohio Coalition for Open Government have filed briefs in support of Mr. Caster's case.

The court will hear five other cases next week:

- In *Jackson v. State*, a death row inmate will appeal his sentence arguing that the judge did not take mitigating factors into account at a resentencing hearing.
- In *250 Shoup Mill v. Tax Commissioner*, the court will decide if a non-profit real estate company that leases property to a Dayton charter school and is owned by a charter-school corporation is eligible for a property tax exemption.
- In *Jacobson v. Kaforey*, the court will determine if a woman, who as a child was assigned a conservator who then sent her to live with an uncle in Florida, can file a lawsuit claiming the conservator and a hospital violated the law.
- In *Aalim v. State*, A juvenile facing aggravated robbery charges in adult court will argue that the statute allowing his case to be moved from the juvenile system is unconstitutional because the juvenile court judge was not given an opportunity to determine if he would be responsive to rehabilitation in the juvenile system.
- In *State v. Jones*, The court will decide if a Cleveland man convicted of a 1993 more than 20 years later should be subject to sentencing laws at the time of the offense.

The latter two cases, along with the public records case, will be heard on April 20 at Meigs High School in Pomeroy as part of the court's off-site program.

National Report: Ohio's Affordable Housing Lags Behind Needs Of Low Income Renters

A new national analysis of U.S. Census data shows Ohio by and large has just 38 affordable and available housing units for every 100 extremely low income renter households.

But Ohio isn't alone, according to the National Low Income Housing Coalition, which analyzed the data. The Buckeye State joins 49 other states and Washington D.C. in not being able to adequately meet the housing needs of impoverished residents.

The report, called "The Gap: The Affordable Housing Gap Analysis 2016," examines PUMS data - the most detailed level of data from the Census Bureau's American Community Survey. In doing so, the group determined that "clearly a new approach is needed to address the housing needs of households with the lowest incomes."

That's because the United States has 7.2 million too few affordable rental units available to those considered "extremely low income," which is defined as those with an income at or below 30% of the area median income.

Of those ELI renters, 75% were "severely cost-burdened, spending more than half of their income on rent and utilities," according to the study. In all states, at least 55% of ELI renters put more than half their incomes toward rent and utilities, according to the group.

NLIHC Vice President of Research Andrew Aurand said the study "reveals an alarming reality about housing for extremely low income households."

"What is frustrating is the lack of timely action to address the issue," Mr. Aurand said. "Millions of people in America are living in unaffordable rental homes. They are forced to cut their spending on food, transportation and health to pay rent."

In Ohio, there were 274,346 too few units for ELI households. In all, 71% of ELI households demonstrated a severe housing cost burden.

Of Ohio's three largest metropolitan areas, each had a deficit of housing units per 100 households at or below the ELI threshold. But only Columbus had a number of available units below the national level.

Of those metro areas:

- The Columbus area required 55,675 more affordable housing units to adequately serve extremely low income renters
- The Cincinnati area - including portions of Kentucky and Indiana - had 47,486 too few units for that population
- The Cleveland-Elyria area had 55,579 too few units

Of all states, North Dakota fared the best, but that state still had a shortage with 64 affordable and available units per 100 ELI households. Nevada, in contrast, fared the worst nationally with 17 units per 100 such households.

Sheila Crowley, who recently retired as the group's president and CEO, said more funding to the National Housing Trust Fund would help close the gap.

So would success of the group's ongoing campaign United for Homes, she said, which lobbies for reducing the portion of a mortgage eligible for tax breaks from \$1 million to \$500,000 and changing the deduction to a 15% non-refundable tax credit. She said those moves would save up to \$200 billion in the next decade that could be invested into the trust fund.

"The National Housing Trust Fund was explicitly created to address the most critical housing needs in our country, housing affordable to those with the lowest income," Ms. Crowley said. "We can end homelessness and housing poverty in America without adding a penny to the federal deficit through the United for Homes campaign. All we need is the will."

Education Notes: 44 Applicants Seeking Superintendent Job; AG Says College, University Foundations Can Be Audited

The State Board of Education this week will begin reviewing the qualifications of 44 applicants who are looking to be the next superintendent of public instruction.

Board President Tom Gunlock said the applications will be made public on Wednesday and board members will have until April 28 to pick five candidates that they would like to interview.

Ray & Associates, a contracted search firm, is reviewing the applications that were due Friday and will also select the five interviewees, he said.

The goal is to complete interviews in May and select a superintendent shortly after, the board president said.

"Hopefully somebody will come to the forefront and we can get this done. If not, we may have to call people back for additional interviews, but hopefully we can get this thing done sometime in May," Mr. Gunlock said in an interview.

The chosen candidate, who will be paid \$210,000-\$250,000 annually, will replace former superintendent Dick Ross, who retired in December. Lonny Rivera, who has been serving as interim superintendent, said last year he wasn't interested in applying for the permanent post.

Foundation Audits: State Auditor Dave Yost is clear to continue reviewing the financial records of college and university foundations, per an Attorney General's opinion.

AG Mike DeWine recently issued an opinion stating that the foundations, which raise private funds to support the public institutions, are considered public entities and therefore subject to audits.

"We conclude that a public college or university foundation established as a private nonprofit corporation under R.C. Chapter 1702, the primary purpose of which is to solicit and receive, on behalf of a state college or university, gifts, donations, and bequests made for the benefit or use of the state college or university, and which is responsible for keeping records of donations for the state college or university, is an entity established by the laws of this state for the exercise of a function of government, and is, therefore, a public office," according to the legal opinion.

Yost spokesman Benjamin Marrison said the office requested clarification on foundation audits following push back from the University of Toledo and Youngstown State University. The latter hired legal counsel to debate the auditor's characterization of its foundation as a public entity late last year, Mr. Marrison said.

The opinion ensures that the auditor can examine foundation funds as he sees fit.

"We are pleased, but not surprised, that the attorney general agrees that these funds - collected on behalf of universities to benefit universities - are public dollars and subject to the scrutiny of state auditors," Mr. Yost said.

The office has been contracting with audit firms to examine college and university foundations as part of regular audits for more than 20 years, Mr. Marrison said.

Agency Briefs: Elevated Lead Levels Found In Statehouse Drinking Fountain; ODNR Awards Marine Patrol Grants; OEPA; Civil Rights...

The Capitol Square Review & Advisory Board on Monday tested water in the Statehouse after previous testing found elevated lead levels in a single drinking fountain.

Columbus news station NBC4 collected water samples in the building and testing showed that a fountain on the first floor of the Senate building had a "slightly elevated lead level," according to CSRAB.

To verify the tests, CSRAB completed its own and is expecting results to be available by Friday. All 17 drinking fountains and four kitchenettes in the Statehouse and Senate Building were tested.

The drinking fountain that was identified as having elevated lead levels was taken out of service last Friday when the results of the NBC4 tests were provided to officials, CSRAB said.

Natural Resources: The agency's Division of Watercraft will provide 24 communities with more than \$576 million to support marine patrol units.

"The 2016 Marine Patrol Assistance Grants will help local law enforcement agencies provide emergency response to boating-related incidents, conduct routine waterway patrols and purchase safety equipment for use on marine patrol vessels," according to an ODNR release.

As the number of registered recreational watercraft has increased in recent years, boating-related fatalities have decreased, the agency noted.

In 2015, a record 474,601 watercraft were registered, representing a growth of almost 40,000 in the last three years. Boating related fatalities, meanwhile, have decreased 12% since 1996.

Environmental Protection Agency: A public hearing is set for April 18 to gather input on a wastewater treatment plant expansion in Grove City.

The Ohio EPA said the expansion that discharges to a tributary of Big Darby Creek "would allow Franklin County to retire older wastewater treatment plants and would not accommodate new development."

The agency will take comments on the plans at 6 p.m. at Pleasant View Middle School, 7255 Knopp Road, Grove City. Comments can also be submitted to epa.dswcomments@epa.ohio.gov or EPA-DSW, Attention Permits Processing unit, P.O. Box 1049, Columbus, Ohio 43215-1049

Civil Rights Commission: The commission is requesting nominations for its 2016 class of the Ohio Civil Rights Hall of Fame.

The 8th annual Hall of Fame induction ceremony will recognize Ohioans who have been leaders in human and civil rights issues in the state and have advanced quality and inclusion, according to a commission release.

Nominations are due by July 1 for the ceremony that will be held Oct. 6.

Politics Notebook: Strickland Proposes Five Debates, Portman Campaign Aims To Contact 50K Voters; Buckeye Institute Slams Capital Bill; Planned Parenthood And Ohio Right To Life To Hit Statehouse...

After refusing to debate primary opponent P.G. Sittenfeld, former Gov. Ted Strickland is now calling on Sen. Rob Portman (R-Terrace Park) to accept at least five debates in his bid to oust the first-term incumbent.

In a letter to Sen. Portman, Mr. Strickland writes that he looks "forward to a spirited and vigorous campaign; one in which we outline our positions on key issues affecting the people of Ohio."

"Towards that end, I would like to propose a series of debates designed to highlight our priorities and the genuine policy differences that exist between us," the letter continues.

Mr. Strickland proposes the debates be held across the state, one in each region. He also called for the debates to be held in August, September and October.

"Collectively, we can demonstrate to the people of Ohio that we are committed to an open and fruitful discussion of the issues and in the process help inform the voters of the choice they face with this election," the letter reads.

Portman campaign spokeswoman Michawn Rich said in a statement the campaign looks forward to comparing and contrasting the two candidates' records.

"This comes as a welcome surprise given that after a year of refusing to debate, Ted Strickland and his 'invisible' campaign had a change of heart and are now committed to an 'open and fruitful discussion of the issues,'" Ms. Rich said. "As Ted Strickland and his campaign are well aware, we are already receiving debate requests and we look forward to finalizing details with his staff."

Sen. Portman's campaign meanwhile announced a goal of contacting 50,000 voters on April 23 through an effort it has dubbed "Super Saturday."

During a previous "Super Saturday" in October, more than 600 volunteers contacted upwards of 41,000 voters in one day, according to the campaign.

"We are building the most advanced grassroots organization in Ohio history and we are excited about working with thousands of volunteers that know Ohio can't afford to go back to Ted Strickland's Ohio," Ms. Rich said.

"While Ted Strickland runs his 'invisible' campaign, we are proud to work with our impressive team of volunteers and interns who have helped us contact more than 1.5 million voters since last May," he continued. "Ohio voters will have a clear choice in November between moving forward with Rob's pro-growth policies for better wages and more jobs, or returning to Ted Strickland's failed policies of higher taxes, more regulations, and bigger government."

Capital Bill: Ahead of the release of the capital bill (See Gongwer Ohio Report, April 8, 2016), the Buckeye Institute is slamming the \$150 million likely to be set aside for local projects.

"At a time where critical infrastructure needs are emerging across the state, spending state dollars on items that should be paid for locally is not an optimal use of scarce resources," Greg Lawson, the organization's Statehouse liaison and policy analyst, said in a statement. "Ohio policymakers should focus on what is really needed to help the state prosper while letting local taxpayers make local decisions."

In a report issued, the organization lists what it believes to be the "five most ridiculous capital budget requests of 2016." They include:

- \$10.6 million for a "Triumph of Flight" statute at I-70 and I-75 in Dayton
- \$2 million to renovate an exhibit at the Cleveland Rock and Roll Hall of Fame

- \$1.5 million to refurbish parts of Mapfre Stadium in Columbus
- \$150,000 for the Madcap Productions theater and exhibit hall
- \$50,000-\$100,000 for the Bowling Green Curling Club ice rink

Abortion: Both sides of the abortion debate will converge on the Statehouse this week.

Ohio Right to Life will hold a Legislative Day on Tuesday at the Statehouse in which anti-abortion advocates will lobby for the "Down Syndrome Non-Discrimination Act."

Planned Parenthood Advocates of Ohio on Wednesday will hold Freedom of Choice Ohio's Annual Advocacy Day, beginning at Trinity Episcopal Church and moving to the Statehouse.

"Ohio, like many states, has seen an increase in barriers to women's access to vital and high quality health care services," the group stated. "This coordinated effort is part of a larger strategy that is being used nationwide to eventually remove access to safe and legal abortion."

Black Lung Measure: Rep. Jack Cera (D-Bellaire) on Monday touted the introduction of a bill (HB 510) designed to help protect coal miners who are diagnosed with black lung.

"Dealing with black lung disease is a tough reality for many of Ohio's coal miners who work some of our hardest and most dangerous jobs," he said in a statement. "Providing a fair opportunity for benefits as they deal with this debilitating disease is important for the miners and their families. I hope that my colleagues in the legislature will agree."

The legislation would create a workers' compensation process similar to that in West Virginia for coal miners with black lung.

"A miner who lives in Ohio but worked in West Virginia can currently receive at least partial benefits through West Virginia, but a miner who lives and works in Ohio has a more difficult time being approved for benefits," Rep. Cera said. "This bill will help provide a miner who has contracted black lung to have a better chance of receiving at least some benefit to help them through this difficult time."

Kasich Schedule: Gov. John Kasich has four campaign events scheduled this week in New York ahead of the state's presidential primary next week.

Gov. Kasich held two town hall events on Monday, including one hosted by Fox News' Sean Hannity, along with a press availability.

On Tuesday, the governor is set to deliver a speech in New York City on the "Two Paths" facing the American electorate in 2016.

GOP Dinner: The Ohio Republican Party's 2016 state dinner will feature radio talk show host Hugh Hewitt as the keynote speaker.

The June 4 event will also feature Sen. Portman.

Equal Pay: Democrats on Tuesday will hold a press conference in Akron to coincide with Equal Pay Day.

The event, which will feature Ohio Democratic Party Chairman David Pepper and Summit County Clerk of Courts Sandra Kurt, will highlight the gender pay disparity, which Democrats says amounts to about \$10,597 between men and women who work full time in the state.

Supplemental Agency Calendar

Tuesday, April 12

State Board of Education, 25 S. Front St., Columbus, 8 a.m.

Thursday, April 14

Criminal Justice Recodification Committee, House Finance Hearing Rm., Statehouse, Columbus, 1 p.m.

Supplemental Event Planner

Tuesday, April 12

Legislative leaders news conference on capital bill, Harding Senate Press Rm., Statehouse, Columbus, 9:30 a.m.

House Democrats news conference on bill to restrict local hiring options, PLAs (SB152), George Washington Williams Rm., Statehouse, Columbus, 10:30 a.m.

State leaders news conference on efforts to boost fight against prescription drug abuse, CompDrug Inc., 1420 Fields Ave., Columbus, 11:30 a.m.

Wednesday, April 13

Immunization Advocacy Day at the Ohio Statehouse

Ohio Library Council Legislative Day, Statehouse, Columbus, (The Toledo-Lucas County Public Library's Mobile Technology Lab will be parked and available for tours on the Third Street side of the Senate Bldg. from 9 a.m. to 2 p.m.)

Freedom of Choice Ohio's Annual Advocacy Day, Trinity Episcopal Church, 125 E. Broad St. & Statehouse, Columbus, 9:30 a.m.

Ohio Library Council news conference on ROI report, Ladies Gallery, Statehouse, Columbus, 11 a.m.

Wednesday, May 11

Sen. Capri Cafaro (D-Hubbard) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 5 p.m., (Host - \$1000; Sponsor - \$750; Friend - \$500 to Friends of Senator Cafaro)

Saturday, June 4

Ohio Republican Party 2016 State Dinner, Hyatt Regency Ballroom, 350 N. High St., Columbus, 5 p.m., (See <https://www.ohiogop.org/statedinner/> for more information)
Tuesday, June 7

Ohio Senate Democratic Caucus fundraiser, Huntington Park, 330 Huntington Park Ln., Columbus, 6 p.m., (Private Reception
at 6 PM - Game starts at 7:05 PM; Contribution Levels: Host - \$1,500; Sponsor - \$1,000; Friend - \$750 to Ohio Senate Democrats)

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House Activity for Monday, April 11, 2016

CALENDAR FOR COMING SESSION

SB 133 ■ **AWARENESS MONTH** (Beagle, B.) To designate June as "Scleroderma Awareness Month."

HB 57 ■ **MURDER SENTENCING** (Maag, R.) To change the sentence for aggravated murder.

HB 165 ■ **HUNTING** (Green, D.) To allow an individual on active military duty, while on leave or furlough, to hunt deer or wild turkey without procuring a deer or wild turkey permit.

HB 335 ■ **COURT JURISDICTION** (Craig, H., Grossman, C.) To specify the jurisdiction of municipal and county courts over municipal traffic ordinances and to establish requirements governing fines, fees, or other charges for traffic violations and infractions imposed by a municipal corporation that does not have the authority to establish a mayor's court.

SCR 2 ■ **DIABETES RESEARCH** (Balderson, T., Gentile, L.) To urge the United States Congress to increase federal funding for research and development involving advanced medical technology used in the treatment of type 1 diabetes.

SENATE PRESIDENT'S APPOINTMENTS

State Government: Remove Representative LaTourette; appoint Representative Young

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Daily Activity Planner for Tuesday, April 12

Legislative Committees

House State Government (Committee Record) (Chr. Maag, R., 644-6023), Rm. 116, 8:30 a.m.

- SB 152** **CONTRACTOR LABOR** (Uecker, J.) To prohibit a public authority from requiring a contractor to employ a certain percentage of individuals from the geographic area of the public authority for the construction or professional design of a public improvement. (5th Hearing-All testimony-Possible amendments & vote)
- SB 239** **DAY DESIGNATION** (Hughes, J.) To designate August 7 as Ohio Purple Heart Day. (2nd Hearing-All testimony-Possible vote)
- HB 341** **TRANSPORTATION LAWS** (Young, R., Sweeney, M.) To require the Public Utilities Commission to raise the existing statutorily designated towing and storage fees annually by the percentage increase in the consumer price index, to establish a \$35 fee for the retrieval of nonmedical personal items from a motor vehicle, to modify the civil penalties applicable to violations of the towing law, to modify the calculation of the value of an abandoned vehicle to which a towing service or storage facility seeks to take title, and to make other changes to the towing law. (4th Hearing-All testimony-Possible amendments)
- HB 449** **DAY DESIGNATION** (Romanchuk, M., Amstutz, R.) To designate February 3 as "Charles Follis Day." (1st Hearing-Sponsor)
- HCR 32** **EDUCATION ACT** (McColley, R.) To urge the United States Congress to pass the ADA Education and Reform Act of 2015. (2nd Hearing-Proponent)
- House Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 018, 9 a.m.

- HB 302** **ANNEXATION** (Henne, M., Butler, J.) To provide that, beginning five years after a type-II annexation is approved, the annexed territory is subject to a fire, police, or EMS tax levy only if the levy is imposed by the subdivision that provides the fire, police, or EMS service to the territory. (3rd Hearing-Opponent)
- HB 413** **EXECUTIVE SESSION** (Brinkman, T.) To add to the purposes for which a board of township trustees may go into executive session, to permit a township to charge for recycling services, to reduce the population threshold for a township to adopt a limited home rule form of government, to authorize a township to purchase, lease, or provide underwater rescue and recovery equipment for fire and rescue purposes, to authorize boards of township trustees to pay for group life insurance for any employee, to make other

changes to the township laws, to allow taxing units to use the proceeds of a fire, police, or emergency services tax levy to pay costs related to the service for which the tax is levied, and to expand the public infrastructure improvements townships, municipal corporations, and counties may pay for using money from their public improvement tax increment equivalent funds. (4th Hearing-All testimony-Possible amendments & vote)

HB 455 **BOARDING SCHOOL ZONE** (Patterson, J., Roegner, K.) To authorize a municipal corporation or township to establish a boarding school zone and a special speed limit within that zone. (2nd Hearing-Proponent)

HB 462 **POLICE DISTRICT** (Hagan, C., Sprague, R.) To establish a joint police district, to modify the membership of a joint police district governing body, to expand the offense of solicitation to also apply to a person who agrees with another to engage with the other person in sexual activity for hire, to provide that the "prescription exemption" from the drug possession offenses does not apply to a person who uses more of the drug than the maximum prescribed amount per day or the maximum amount to be used within the prescription timeline or who administers or takes the drug in a manner not prescribed by the prescribing health professional, and to provide immunity from civil liability to a peace officer who administers naloxone to a person who is apparently experiencing an opioid-related overdose. (2nd Hearing-Proponent)

Senate Financial Institutions (Committee Record) (**Chr. Hughes, J., 466-5981**), Finance Hearing Rm., 9 a.m.

HB 303 **DEED PROGRAM** (Dever, J., McColley, R.) To create the D.O.L.L.A.R. Deed Program. (1st Hearing-Sponsor)

HB 229 **TRUST LAW** (Hambley, S., Bishoff, H.) To create the Ohio Family Trust Company Act. (1st Hearing-Sponsor)

SB 175 **TRUST COMPANY LAW** (Eklund, J.) To create the Ohio Family Trust Company Act. (4th Hearing-All testimony)

SB 226 **DEBT ADJUSTING** (Seitz, B.) Regarding debt adjusting. (4th Hearing-All testimony)

House Rules & Reference (Committee Record) (**Chr. Amstutz, R., 466-1474**), Rm. 119, 10 a.m.

Senate State & Local Government (Committee Record) (**Chr. Uecker, J., 466-8082**), Finance Hearing Rm., 10 a.m.

SB 257 **REAL PROPERTY** (Seitz, B., Skindell, M.) To create a presumption of validity of recorded real property instruments, reduce the time period for curing certain defects related to those instruments, and provide constructive notice for those instruments. (2nd Hearing-Proponent)

HB 167 **LEGISLATIVE SERVICE COMMISSION** (Sweeney, M.) Regarding the term of a General Assembly member as a member of the Legislative Service Commission. (1st Hearing-Sponsor)

- SB 275** **PHOTO MONITORING** (Patton, T.) To prohibit a local authority from deriving more than 30 per cent of the total annual revenue of the local authority from the issuance of tickets for traffic law violations based on evidence recorded by traffic law photo-monitoring devices. (1st Hearing-Sponsor)
- HCR 26** **MILITARY BRATPIN** (Sears, B., Dovilla, M.) To express support for the Military BratPin. (1st Hearing-Sponsor)
- HB 87** **DAY DESIGNATION** (Slesnick, S.) To designate October 7 as Moses Fleetwood Walker Day. (1st Hearing-Sponsor)
- HB 31** **STATE ROCK SONG** (Grossman, C., Stinziano, M.) To designate "Hang on Sloopy," which includes the following lyrics, as the official state rock song: Hang on Sloopy, Sloopy hang on; Sloopy lives in a very bad part of town; All the girls I know they try to put my Sloopy down; Sloopy, I don't care what your daddy do; Don't you know little girl, I'm in love with you; Sloopy, let your hair down, let it down on me; Come on Sloopy let your hair down, Girl it down on me. (1st Hearing-Sponsor)

Senate Insurance (Committee Record) (**Chr. Hottinger, J., 466-5838**), **South Hearing Rm., 10:30 a.m.**

- SB 27** **FIREFIGHTER CANCER** (Patton, T.) To provide that a firefighter who is disabled as a result of specified types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter. (5th Hearing-All testimony-Possible amendments & vote)
- HB 95** **DENTAL SERVICES** (DeVitis, T.) To prohibit a health insurer from establishing a fee schedule for dental providers that are not covered by any contract or participating provider agreement between the health insurer and the dental provider. (3rd Hearing-Opponent)
- HB 207** **WORKERS COMPENSATION** (Henne, M., McColley, R.) To allow a state fund employer to have a workers' compensation claim that is likely to be subrogated by a third party paid from the surplus fund account in the state insurance fund rather than charged to the employer's experience (3rd Hearing-Opponent)

House Session (**Chr. Rosenberger, C., 466-3357**), **House Chamber, 11 a.m.**
Senate Rules & Reference (Committee Record) (**Chr. Faber, K., 466-7584**), **Majority Conf. Rm., 11 a.m.**
Senate Agriculture (Committee Record) (**Chr. Hite, C., 466-8150**), **North Hearing Rm., 11:15 a.m.**

- HB 178** **WINE SALES** (Manning, N.) To establish the F-10 liquor permit to authorize certain A-2 permit holders to sell Ohio wines at farmers markets. (1st Hearing-Sponsor-Possible amendments)
- HB 342** **WINERY PERMITS** (Young, R.) To create the Ohio Farm Winery Permit. (1st Hearing-Sponsor)

- HB 37** **ALCOHOL POSSESSION** (Duffey, M., Stinziano, M.) To allow a person to possess beer or intoxicating liquor on the premises of a market if the beer or intoxicating liquor has been purchased from a D liquor permit holder that is located in the market. (3rd Hearing-All testimony-Possible amendments)
- HB 60** **COMPANION ANIMAL ABUSE** (Hall, D., Patmon, B.) To revise provisions and penalties regarding treatment of companion animals, to revise the definition of "companion animal" in the Offenses Relating to Domestic Animals Law, and to provide a state collaborative effort to assist veterinarians in identifying clients who may use their animals to secure opioids for abuse. (2nd Hearing-Proponent)
- House Finance (Committee Record) (Chr. Smith, R., 466-1366), Rm. 313, 1 p.m.**
- SB 264** **TAX HOLIDAY** (Bacon, K.) To provide for a three-day sales tax "holiday" in August 2016 during which sales of back-to-school clothing and school supplies are exempt from sales and use taxes. (1st Hearing-Sponsor)
- HB 130** **DATA OHIO BOARD** (Hagan, C., Duffey, M.) To create the DataOhio Board, to specify requirements for posting public records online, to require the Auditor of State to adopt rules regarding a uniform accounting system for public offices, to establish an online catalog of public data at data.Ohio.gov, to establish the Local Government Information Exchange Grant Program, and to make an appropriation. (2nd Hearing-Proponent-Possible amendments)
- HB 391** **FINANCIAL LITERACY** (Terhar, L.) To require the Chancellor of Higher Education to create the SmartOhio Financial Literacy Pilot Program at the University of Cincinnati to operate for the 2016-2017 school year and to make an appropriation. (3rd Hearing-All testimony-Possible vote)
- HB 483** **DEVELOPMENTAL DISABILITIES** (Amstutz, R.) To modify programs administered by the Department of Developmental Disabilities and to make an appropriation. (1st Hearing-Sponsor-Pending referral)
- House Government Accountability & Oversight (Committee Record) (Chr. Brown, T., 466-8104), Rm. 114, 1:30 p.m.**
- HB 227** **COSMETOLOGY LAW** (Roegner, K., Reece, A.) To make changes to the Cosmetology Licensing Law. (5th Hearing-All testimony-Possible amendments, substitute & vote)
- HB 183** **STUDENT TRUSTEES** (Antani, N., Stinziano, M.) To grant student members of the boards of trustees of state universities and the Northeast Ohio Medical University voting power and the authority to attend executive sessions. (3rd Hearing-All testimony-Possible substitute)
- HB 444** **ALCOHOL SAMPLES** (Blessing, L.) To allow certain D liquor permit holders to provide free tasting samples of beer, wine, and spirituous liquor to a person who is 21 years old or older and a paying customer of the permit holder. (2nd Hearing-Proponent)
- Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.**

House Commerce & Labor (Committee Record) (Chr. Young, R., 644-6074), Rm. 122, 2 p.m. or after session

HB 172 CRIMINAL RECORDS (Barnes, J.) To enact the Fair and Accurate Reporting of Criminal Records Law, to require certain business entities that publish criminal record information to ensure that the information is complete and accurate, to provide a procedure by which a subject of published criminal record information may have incomplete or inaccurate information corrected or removed from the publication, and to provide remedies for the failure of a business entity to remove or correct incomplete or inaccurate information.
(4th Hearing-All testimony-Possible substitute)

Senate Finance (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 2:30 p.m. or after session

- **1st Hearing-Sponsor-Pending introduction & referral of capital appropriations bill.**

House Ways & Means (Committee Record) (Chr. McClain, J., 644-6265), Rm. 121, 3 p.m.

HB 404 SALES TAX REFUNDS (Schaffer, T.) To allow vendors to deduct or apply for a refund of sales tax remitted for bad debts on private label credit cards used to make purchases from the vendor. (1st Hearing-Sponsor)

SB 172 BULLION TAXES (Jordan, K.) To exempt from sales and use taxes the sale or use of investment metal bullion and coins. (2nd Hearing-Proponent)

HB 466 TAX EXEMPTION (Smith, R.) To specifically exempt digital advertising services from sales and use tax. (1st Hearing-Sponsor & proponent)

HB 150 HOTEL INTERMEDIARIES (Grossman, C., Scherer, G.) To require hotel intermediaries to collect and remit applicable sales and use tax on the full amount paid for hotel lodging, to require hotel intermediaries to supply customers with itemized invoices, to specify that a hotel intermediary is presumed to have "substantial nexus" with Ohio if the intermediary arranges lodging at Ohio hotels, and to specify that hotels are not liable for the failure of a hotel intermediary to properly collect or remit applicable taxes. (3rd Hearing-All testimony)

House Judiciary (Committee Record) (Chr. Butler, J., 644-6008), Rm. 116, 3:30 p.m.

HB 432 ESTATE LAW (Rezabek, J.) To revise the law governing decedent's estates by making changes in the Ohio Trust Code, the Probate Law, the Uniform Principal and Income Act, the Transfers to Minors Act, and the Uniform Simultaneous Death Act. (4th Hearing-All testimony-Possible vote)

HB 339 FOREIGN LAW (Young, R.) To prohibit courts, administrative agencies, and arbitrators from applying foreign law to the detriment of constitutional rights under the United States and Ohio constitutions. (2nd Hearing-Proponent-Possible amendments)

HB 268 HUMAN TRAFFICKING (Hall, D., Dever, J.) To expand the list of human trafficking-related convictions and delinquency adjudications that may be expunged, to increase the penalties for compelling prostitution and promoting

prostitution, and to authorize intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution. (2nd Hearing-Proponent-Possible substitute)

- HB 362** **STRANGULATION** (Stinziano, M., Kunze, S.) To prohibit a person from knowingly impeding the normal breathing or circulation of another by strangulation. (3rd Hearing-All testimony-Possible substitute)
- HB 38** **PRISON TERMS** (Patmon, B.) To create specifications that impose an additional prison term upon an offender who commits a felony offense against a disabled person or an elderly person and increase the period of commitment to the Department of Youth Services for committing an act that would be a felony offense against a disabled person or an elderly person if committed by an adult, for felony offenses that do not delineate enhanced penalties when a disabled person or an elderly person is the victim of the violation. (3rd Hearing-All testimony)
- HB 451** **PROTECTION ORDERS** (Boose, T.) To provide that an individual's statutory priority to decide whether or not to withhold or withdraw life-sustaining treatment for the individual's relative is forfeited if the individual is the subject of a temporary protection order or civil protection order and the relative is the alleged victim or if the individual and the relative are married and the parties to a divorce, dissolution, legal separation, or annulment proceeding. (3rd Hearing-All testimony)

House Armed Services, Veterans Affairs & Public Safety (Committee Record) (Chr. Johnson, T., 466-2124), Rm. 017, 3:30 p.m.

- SB 84** **FLAG DISPLAY** (Coley, B.) To prohibit manufactured homes park operators, condominium associations, neighborhood associations, and landlords from restricting the display of Ohio flags and blue star banners, gold star banners, and other service flags, and to prohibit manufactured homes park operators and landlords from restricting the display of the United States flag. (1st Hearing-Sponsor)
- HB 464** **NATIONAL GUARD SCHOLARSHIPS** (Terhar, L., Brinkman, T.) To specify that a National Guard scholarship recipient who fails to complete the recipient's term of enlistment in the National Guard due to enlistment, warrant, commission, or appointment in the United States armed forces is not liable for repayment of the scholarship. (1st Hearing-Sponsor)
- HB 388** **OVI OFFENSES** (Scherer, G.) To authorize a court to grant unlimited driving privileges with an ignition interlock device to first-time OVI offenders, to expand the penalties related to ignition interlock device violations, to modify the law governing the installation and monitoring of ignition interlock devices, to extend the look back period for OVI and OVI-related offenses from six to ten years, and to modify the penalties for OVI offenses. (4th Hearing-All testimony-Possible substitute & vote)

- SB 123** **TRAFFIC VIOLATIONS** (Hughes, J.) To allow emergency personnel in public safety vehicles to report traffic law violations under certain circumstances. (3rd Hearing-Opponent & interested party)
- SCR 9** **IRAN AGREEMENT** (Uecker, J.) To urge the Congress of the United States to disapprove the Iranian nuclear agreement known as the Joint Comprehensive Plan of Action (2nd Hearing-All testimony-Possible vote)
- Sunset Review Committee** (Committee Record) (**Chr. Brown, T., 466-8104**), **South Hearing Rm., 3:30 p.m.**
- **Reviews of Education Management Information System Advisory Board, English Language Arts Academic Standards Review Committee, Mathematics Academic Standards Review Committee, Science Academic Standards Review Committee, Social Studies Academic Standards Review Committee, Straight A Program Advisory Committee, Straight A Program Governing Board, Advisory Board to Assist and Advise in the Operation of the Ohio Center for Autism and Low Incidence, Board of Voting Machines Examiners, Workers' Compensation Board of Directors Nominating Committee, Technical Advisory Committee to Assist Director of the Ohio Coal Development Office, Supervisory Investigative Panel of the State Dental Board, Barber Board**
- House Community & Family Advancement** (Committee Record) (**Chr. Derickson, T., 644-5094**), **Rm. 114, 4 p.m.**
- HB 298** **DRUG TESTING** (Schaffer, T., Maag, R.) To require applicants for unemployment benefits to submit to a drug test under certain circumstances, to require the director of Job & Family Services to operate an Ohio Works First drug testing pilot program and to make an appropriation. (3rd Hearing-Opponent)
- HB 286** **MARRIAGE** (Vitale, N.) To provide that an ordained or licensed minister or religious society is not required to solemnize a marriage and a religious society is not required to allow any building or property of the religious society to be used to host a marriage ceremony if the marriage does not conform to the ordained or licensed minister's or religious society's sincerely held religious beliefs, to provide that an ordained or licensed minister or religious society is not subject to civil or criminal liability for such a denial, and to provide that the state and political subdivisions may not penalize or withhold benefits to an ordained or licensed minister or religious society for such a denial. (3rd Hearing-Opponent)
- Senate Education** (Committee Record) (**Chr. Lehner, P., 466-4538**), **Finance Hearing Rm., 4 p.m.**
- HB 299** **AUTISM SCHOLARSHIPS** (Blessing, L., Rezabek, J.) To permit the temporary, legal, or permanent custodian of a qualified child to apply for an Autism Scholarship. (2nd Hearing-All testimony-Possible amendments & vote)

- SB 241** **EDUCATION PROFESSIONALS** (LaRose, F.) With regard to the employment of specified education professionals by city, exempted village, and local school districts. (2nd Hearing-Proponent)
- SB 252** **CARDIAC ARREST** (Hite, C., Patton, T.) With regard to sudden cardiac arrest in youth athletic activities. (2nd Hearing-Proponent-Possible amendments)

Senate Energy & Natural Resources (Committee Record) (**Chr. Balderson, T., 466-8076**), North Hearing Rm., 4 p.m. or after session

- **Confirmation hearing on governor's appointments of Frederick Cash, Ohio Soil and Water Conservation Commission; James Krimmel and John Petkovsek, Environmental Education Council; Kerry Krugh and David Kimberly, Radiation Advisory Council and Craig Porter, Reclamation Commission**

- SB 269** **WATER SYSTEMS** (Schiavoni, J.) To require a public water system to provide notice of lead contamination not later than thirty days after becoming aware that lead contamination may effect the system's drinking water, to require the Director of Environmental Protection to provide the notice if the public water system fails to provide it, to require employees of the Environmental Protection Agency to provide continuing assistance to a public water system that fails to provide the required notice of lead contamination, and to require the Director to adopt rules that increase the monitoring frequency for lead and copper under specified circumstances. (1st Hearing-Sponsor)
- SB 118** **HOUSEHOLD SEWAGE SYSTEMS** (Eklund, J.) To authorize a board of county commissioners or municipal legislative authority to elect to withdraw the county or municipal corporation from the application of any rule adopted after January 1, 2014, by the Department of Health governing the design of household sewage treatment systems. (2nd Hearing-Proponent)
- SB 185** **IMPROVEMENT DISTRICTS** (Seitz, B.) To revise the law governing special improvement districts created for the purpose of developing and implementing plans for special energy improvement projects. (4th Hearing-All testimony-Possible vote)

Agency Calendar

State Board of Education, 25 S. Front St., Columbus, 8 a.m.

Air Quality Development Authority, 50 W. Broad St., Suite 1718, Columbus, 9:30 a.m.

Home Weatherization Assistance Program Policy Advisory Council, 77 South High Street, Room 1960, Columbus, 2 p.m.

Event Planner

Housing Ohio 2016 Conference, Sheraton Downtown Columbus, 75 E. State St., Columbus

Ohio Bankers League lobby day

Ohio Right to Life legislative day

Legislative leaders news conference on capital bill, Harding Senate Press Rm., Statehouse, Columbus, 9:30 a.m.

House Democrats news conference on bill to restrict local hiring options, PLAs (SB152), George Washington Williams Rm., Statehouse, Columbus, 10:30 a.m.

State leaders news conference on efforts to boost fight against prescription drug abuse, CompDrug Inc., 1420 Fields Ave., Columbus, 11:30 a.m.

Sen. Kris Jordan (R-Ostrander) fundraiser, Athletic Club of Columbus, Parlors A&B, 136 E. Broad St., Columbus, 5 p.m., (Host: \$1,000; Sponsor: \$500; Individual attendee: \$350 to Friends of Kris Jordan)

Vorys, Sater, Seymour and Pease LLP Legislative Reception, 52 East Gay St., Columbus, 5 p.m.

Bowling Green State University Statehouse Falcons reception, Capital Club, 41 S. High St., Columbus, 5 p.m., (RSVP to batesdc@bgsu.edu)

Sen. Bob Hackett (R-London) fundraiser, Athletic Club of Columbus, Tally Ho Room, 136 East Broad Street, Columbus, 5 p.m., (Host \$2,500; Chair \$1,000; Sponsor \$500; Individual \$350 to Hackett for Ohio)

Sen. Larry Obhof (R-Medina) fundraiser, Athletic Club of Columbus, Gold Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$2,500; Event Sponsor \$1,000; Individual \$500 to Citizens for Obhof)

Sen. Sandra Williams (D-Cleveland) fundraiser, Chintz Room, 121 S. High Street, Columbus, 5 p.m., (Host - \$1000; Sponsor - \$750; Friend - \$500 to Friends of Sandra Williams)

Rep. Steve Hambley (R-Brunswick) and Rep. Mark Romanchuk (R-Ontario) fundraiser, Little Palace, 240 S. 4th Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Hambley for House Committee and/or Romanchuk for State Rep)

Rep. Ron Young (R-Leroy Township) fundraiser, Capital Club, Scarlet & Gray Room, 41 S. High Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Ron Young)

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Ohio Report for Wednesday, June 1, 2016

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Brown Touts Columbus Transportation Future As Federal Grant Is Announced For Bus Program

Restraining Order Extended In Planned Parenthood Defund; Group Reaches Settlement Over Fetal Remains

Senate, Committees Set To Return Late September

State Plans Quicker Notification For Harmful Algal Blooms

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Volume #85, Report #105 -- Wednesday, June 1, 2016

Mandel Announces Launch Of Tax-Advantaged Savings, Investment Accounts For People With Disabilities

State Treasurer Josh Mandel on Wednesday announced the launch of a program enabling people living with certain disabilities to save and invest money without losing eligibility for certain public benefits programs.

Earnings from the State Treasury Achieving a Better Life Experience Accounts aren't subject to federal income tax and the money in the accounts would be exempt from state and federal means testing for programs such as Medicaid, Supplemental Security Income or Social Security Disability Insurance.

"As treasurer of Ohio I am proud to serve as administrator of STABLE Accounts," Treasurer Mandel said in a statement. "By assisting individuals and families with saving and investing, we are supporting persons with disabilities to maintain health, independence and quality of life."

Ohio is the first state to provide the accounts, which were made possible by federal legislation in 2014, according to the treasurer's office. Legislation (HB 155) signed by Gov. John Kasich last July directed the treasurer to implement the program, originally named ABLE.

The accounts are designed to help people with disabilities gain more economic opportunities without jeopardizing their eligibility for care under government programs.

"Today is a historical achievement as now ABLE accounts are a reality for all individuals with disabilities in America thanks to the hard work of so many dedicated advocates from across the US," said National Down Syndrome Society President Sara Hart Weir. "We couldn't be more proud to participate in the launch of the STABLE Accounts in Ohio."

Ohio's program is open to anyone across the country who meets eligibility requirements, though the fees are higher for people who live out-of-state. Ohio residents will pay \$2.50 per month to maintain the accounts, while residents of other states will pay \$5 per month. Ohio residents will pay an asset-based fee of between 0.19-0.34%, depending on investment options, while out-of-state residents will pay a fee between 0.45- 0.60%.

Participants can use the money from the account for qualified expenses, including education, health care, housing and transportation. Participants will be able to choose between five different investment strategies that range in risk levels, including a banking approach that offers no risk and is backed by the Federal Deposit Insurance Corporation.

"Ohio, by providing these tax-advantaged savings accounts to children and adults with disabilities, has begun to pave the way for a transformative opportunity for one of our country's most disenfranchised populations," said Christopher Rodriguez, senior public policy adviser of the National Disability Institute. "The benefits of these STABLE Accounts will surely promote people with disabilities, and their families, to save for their futures and become a more significant part of the economic mainstream."

The accounts have a yearly contribution limit of \$14,000. Accounts can be set up for free on the program's website, and an initial contribution of \$50 is required.

The legislation that enabled the program passed the House and Senate unanimously last year. The bill's sponsors, Reps. Jonathan Dever (R-Cincinnati) and Margaret Condit (R-Liberty Twp.) said it would help lift people with disabilities out of poverty by allowing them to make and save more money without losing vital programs for their care. (See Gongwer Ohio Report, May 20, 2015)

Brown Touts Columbus Transportation Future As Federal Grant Is Announced For Bus Program

Federal officials were in Columbus Wednesday to announce a \$37 million grant designed to improve public transit in a corridor of Columbus.

The grant, presented by Federal Transit Administration Acting Administrator Carolyn Flowers and U.S. Sen. Sherrod Brown (D-Avon), is designed to help fund a bus rapid transit system along the Cleveland Avenue corridor in Northeast Columbus.

Sen. Brown praised the system as a way of improving access to jobs and increasing opportunities for people who use the route. The system will cut down on the time people spend waiting for buses and riding buses, he said.

"One of the beauties of doing this right in such a progressive city like Columbus is it will make people's lives better and make their time more theirs," he said.

The bus rapid transit program, known as CMAX, will stretch from downtown to Westerville, with 32 bus stops, two new park-and-ride lots and 15 new compressed natural gas buses. It is expected to launch in January 2018.

COTA President and CEO W. Curtis Stitt praised Sen. Brown for his work to maintain the level of funding for public transit programs in the latest long-term transportation authorization bill.

"Without his steadfast support, funding for this would have been impossible," Mr. Stitt said.

After the event and ceremonial grant signing, Sen. Brown said he believed the new bus line would help Columbus win the U.S. Department of Transportation's Smart City Challenge.

The Ohio Legislature last week adopted a resolution (SCR 21) urging the DOT to choose Columbus. (See Gongwer Ohio Report, May 24, 2016)

Winning the Smart City Challenge, he said would be bigger than just winning \$40 million for transportation programs, he said. Columbus groups have offered an additional \$90 million in investment if Columbus, one of seven national finalists, lands the grant this summer.

"It makes us bigger as a city and as a state nationally," Sen. Brown said. "There will be all kinds of creative people in Central Ohio parlaying that into all kinds of things."

Sen. Brown also said he didn't think the CMAX program precludes Columbus from receiving funding for possible light rail programs later on.

"We're not saying no to light rail," he said. "I think that nothing's off the table."

Restraining Order Extended In Planned Parenthood Defund; Group Reaches Settlement Over Fetal Remains

Planned Parenthood scored two legal victories in recent days, including Wednesday's extension of a temporary restraining order preventing the state from defunding the organization.

The TRO extension was issued by federal Judge Michael Barrett and will remain in effect until Aug. 5. Another hearing on the matter is scheduled for Aug. 2.

Planned Parenthood cheered the ruling in a statement issued Wednesday afternoon.

"Without the action by the court today, some of Ohio's most vulnerable citizens would be left without health care options. Especially for families in underserved areas, Planned Parenthood is the only place to turn," said Iris Harvey, president and CEO of Planned Parenthood of Greater Ohio.

"Our government should be supporting programs that serve to improve the health and safety of our communities, not using Ohioans as political pawns. We want the people of Ohio to know one thing: Our doors are staying open, no matter what."

Right to Life Ohio blasted the ruling as judicial activism.

"The decision to extend the restraining order casts a light on the might and influence of Big Abortion, even in a pro-life state. Despite the will of Ohio voters, an unelected judge just halted their democratically enacted, constitutional law by another two months," spokeswoman Katherine Franklin said in a statement. "The conscience rights of all Ohioans, including pro-life Ohioans, matter. By preventing the enactment of this legislation, the judge is sending the opposite signal to half of Ohio's voters."

The defunding of the group - which would cost Planned Parenthood \$1.1 million annually in state money - was approved by lawmakers through a bill (HB 294) signed into law by Gov. John Kasich earlier this year. The cutoff was set to go into effect on May 23.

However, Judge Barrett last week initially issued a temporary restraining order through June 6, ruling the organization was likely to succeed in its lawsuit on both First Amendment and Fourteenth Amendment grounds. (See Gongwer Ohio Report, May 23, 2016)

In a separate case, the organization has reached a settlement with the Department of Health that will require the state to pay \$45,447 in attorney fees. Federal Judge Edmund A. Sargus Jr. will maintain jurisdiction over the case to ensure the settlement agreement is enforced.

The settlement stems from an investigation by Attorney General Mike DeWine that allegedly found that Planned Parenthood affiliates violated Ohio Administrative Code by handing over fetal remains to companies that dispose of them in landfills - a claim the group denied. (See Gongwer Ohio Report, December 11, 2015)

The court, however, issued a 28-day temporary restraining order against any legal action stemming from the AG's investigation into the group's abortion policies. (See Gongwer Ohio Report, December 15, 2015)

Soon after, Mr. DeWine announced that he would not enforce the "humane disposal" section of the Administrative Code while the Department of Health and General Assembly sought to further clarify the law. (See Gongwer Ohio Report, December 18, 2015)

Mr. DeWine's investigation led to a flurry of legislative activity, including a measure (HB 417) that would require the woman seeking an abortion to choose either burial or cremation. Another bill (HB 419) would require the director of the Department of Health to adopt rules requiring abortion facilities to dispose of fetal remains by burial or cremation. Similar legislation (SB 254) was introduced in and recently cleared the Senate.

Senate, Committees Set To Return Late September

The Senate and its committees are set to return to Columbus in late September, according to a schedule released by the chamber on Wednesday.

Senate President Keith Faber (R-Celina) has set session and committee dates on September 27, 28 and 29, followed by meetings on October 4, 5 and 6.

The chamber could then return to action after the November election, with if-needed dates set for November 9 and 10.

Dates are also scheduled for November 15, 16, 22 (if needed), 29 and 30.

The chamber is set for session and committee dates on December 1, 6, 7 and 8, with if-needed sessions on the 13th, 14th, 15th and 28th.

The House last week released its schedule for the remainder of the year, with the calendar showing as many as eight session dates. None of the dates on the House schedule are before the election. (See Gongwer Ohio Report, May 27, 2016)

State Plans Quicker Notification For Harmful Algal Blooms

State agencies have retooled their approach to public outreach efforts when it comes to harmful algal blooms in the state's recreational waterways.

The Ohio Environmental Protection Agency and the departments of Health and Natural Resources, in a joint announcement, recently outlined a new strategy to increase awareness among citizens before they enter the water.

As part of the plan, the state will be quicker in issuing public health advisories by basing those alerts solely on the levels of harmful algal bloom toxins, such as microcystin, ODH Medical Director Mary DiOrio said.

Advisories were previously declared only following documented health issues thought to be caused by algal toxins.

"As we continue to better understand harmful algal blooms and the toxins they may produce, we have eliminated the previous requirement for a probable case of an algal bloom-related human illness or a pet death before issuing an elevated recreational public health advisory," Dr. DiOrio said.

In addition to faster public warnings, the state will rely on a website to provide a roundup of ongoing advisories and other pertinent data.

"We are encouraging people to 'know before you go' by checking our BeachGuard website," Dr. DiOrio said. "BeachGuard lists any recreational public health advisories and water quality data for some toxins and E. coli bacteria for Ohio state park lake beaches and boat ramps as well as participating non-state public and private beaches."

Another key component of the new awareness effort is a revamped signage system. A white sign will be posted at all state park beaches and boat ramps, describing the appearance of algal blooms and instructing visitors to be on the lookout.

If an algal bloom is confirmed or when toxin levels are equal to or exceed the designated threshold - six parts per billion for microcystin - orange "warning" signs will be added to the white signs. These signs will state swimming and wading are not recommended for children, pregnant or nursing women, those with certain medical conditions, and pets.

A red "danger" sign will be added if and when algal toxin levels are equal to or exceed a designated threshold - 20 parts per billion for microcystin. That sign will confirm unsafe toxin levels have been detected and instruct visitors to avoid contact with the water.

The agencies are encouraging non-state public and private waters to also adopt the new strategy.

The announcement follows OEPA's recent unveiling of draft phosphorus reduction targets in Lake Erie, which could help reduce such blooms. The plan is part of a multi-state, binational agreement to lower phosphorus levels by 40% by 2025. (See Gongwer Ohio Report, May 26, 2016)

But Ohio Environmental Council Clean Water Director Adam Rissien has since said the plan doesn't go far enough in curbing runoff pollution from agriculture companies which can feed algae growth.

"Certainly the plan demonstrates a strong commitment to reduce toxic algae, but in order to ensure its success, further action is necessary," Mr. Rissien said. "Real progress requires policies for widespread adoption of conservation practices and proper applications of fertilizer and manure."

OEPA Director Craig Butler and the Army Corps of Engineers, meanwhile, have sparred in recent months over the potential existence of a "toxic blob" in Lake Erie. Although the OEPA says water sampling "clearly shows" the blob's existence, the Corps insists "no credible scientific evidence supports" that idea. (See Gongwer Ohio Report, May 6, 2016)

ODP Questions Trump's Support For Veterans Following Billionaire's Contentious Press Conference

The Ohio Democratic Party's chairman labeled Donald Trump a "fraud" who is "using veterans as a prop" a day after the billionaire sought to satiate questions of whether he had fulfilled promised donations to veterans groups.

Chairman David Pepper and retired Army Capt. Paul Worley, chair of the ODP veterans' caucus, added their voices to those criticizing the GOP presumptive nominee following Mr. Trump's press conference Tuesday in Trump Tower.

During that press conference, Mr. Trump outlined how he had donated the \$5.6 million raised by a January fundraiser he organized to compete with a Fox News presidential debate.

After the fundraiser, Mr. Trump repeatedly told media and supporters he had raised more than \$6 million from the event. But media reports - including a May 24 report from the *Washington Post* - continued to show that about half that money had not been donated.

Mr. Trump responded this week, outlining how much money had been sent to which groups. Several of those checks - including a \$1 million donation from Mr. Trump that he claimed to have made previously - were written last week, the same day the billionaire was interviewed by the *Post* on the fundraising discrepancy, according to the Associated Press.

"I think over the course of (yesterday) and today we've learned the truth: that Donald Trump is a fraud whose only concern is what's in it for him," Mr. Pepper said in a media call hosted by the Democratic National Committee.

"In this case it's clear that veterans were nothing more than a prop for Donald Trump when he needed them...and he only actually paid up what he said he'd already paid when called on it later," Mr. Pepper continued. "All this shows Donald Trump is not fit to be president."

Mr. Trump attributed the delay in issuing the checks to the process of vetting the various charities. He did not explain the discrepancy between the \$5.6 million figure and his previous claims to have raised more than \$6 million. He said veterans were greatly pleased by his contribution and support.

"I have raised a tremendous amount of money for the vets," Mr. Trump said. "I have been thanked by so many veterans groups throughout the United States."

He made additional headlines Tuesday for the combative nature of his press conference, during which he blasted the media - calling one reporter "a sleaze" - and said he would continue that contentious relationship with the media if elected president.

Mr. Worley, an Adams County commissioner who served three tours in Iraq and Afghanistan, questioned Mr. Trump's leadership following the candidate's early criticism of Sen. John McCain for being captured as a prisoner of war and for his conflicting statements on the permissibility of torture.

"Trump is a classic example of someone who will promise things - say he's doing things for veterans - but will turn around and not follow through on his promises," Mr. Worley said. "He is not a leader that cares about people. He only cares about himself."

During Mr. Trump's press conference, 22-year retired Marine and New Hampshire State Rep. Al Baldasaro shot back against claims Mr. Trump doesn't support veterans.

"I would never in a million years put my name on a candidate who did not from his heart look me in the eye and tell me he is concerned about veterans," Mr. Baldasaro said, urging the media to "get your heads out of your butts and focus on the real issues."

Politics Notebook: ACLU Concerned With RNC Media Restrictions; Brown Talks Pensions; Portman Airs First TV Ads...

On Wednesday, the ACLU of Ohio voiced concerns that potential flight restrictions and new credentialing procedures will hinder media access to the Republican National Convention.

In a letter to media outlets, ACLU Legal Director Freda Levenson said, "Increased control by the government over media access at the RNC presents serious First Amendment concerns."

Journalists planning to cover the July event in Cleveland must currently be screened and credentialed by the Secret Service. And expanded use of flight restrictions could be implemented by the Federal Aviation Administration to create no-fly zones around the event.

"The new credentialing process may reduce the ability of reporters to get access to events as they unfold," Ms. Levenson wrote. "Restrictions put in place by the FAA could completely block the ability of news agencies to obtain aerial footage of the convention, protests, and the actions of law enforcement."

A day prior, Cleveland leaders announced new security plans for the event, which is expected to draw 50,000 people. Officials didn't provide specifics - saying that doing so could compromise security - but outlined the training and organizational efforts being undertaken in advance of the event.

The same day, the RNC Host Committee announced a joint beautification effort to establish "a brighter, more welcoming experience along the main pedestrian and vehicular thoroughfares in downtown Cleveland."

Pensions: U.S. Sen. Sherrod Brown (D-Ohio), while in Columbus with federal transportation officials to present a \$37 million grant to the Central Ohio Transit Authority (*see separate story*), criticized Senate Majority Leader Mitch McConnell (R-Kentucky) for blocking a bill Sen. Brown sponsored to shore up pension plans for miners.

Sen. Brown has been pushing for the Senate to consider the Miners Protection Act he sponsored alongside Sen. Joe Manchin (D-W.Va.) before breaking for the summer. The bill is an effort to address the shortfall in the United Mine Workers of America's 1974 pension plan, which was 94% funded before 2008 and is now severely underfunded due to the financial crisis and fewer active workers, according to Sen. Brown's office.

"One senator, the Republican leader in the Senate, has blocked the Senate from doing its job to protect these miners," Sen. Brown said.

Sen. Brown stressed the "urgent need" to address the pension shortfall in a letter to Sen. McConnell last week.

The senator also said he hoped lawmakers could work together to fix similar pension concerns faced by Teamsters.

Cincinnati Zoo: Rep. Denise Driehaus (D-Cincinnati) urged citizens to wait for investigations to conclude before jumping to conclusions about the recent killing of a gorilla after a 3-year-old boy entered the animal's exhibit.

A 17-year-old silverback, named Harambe, was shot and killed May 28 after the boy crawled into the exhibit and fell 15 feet into a moat separating the animals from visitors. Protestors said the gorilla appeared to be protecting the boy, although video, which does not show the entire ordeal, shows the 450-pound animals dragging the boy by the leg through the moat several times.

Protestors argue workers should have tranquilized the animal. But zoo officials contend doing so could have enraged the gorilla and that tranquilizers would take up to 10 minutes to go into effect.

In the wake of the incident, Sen. Cecil Thomas (D-Cincinnati) told the *Cincinnati Enquirer* he's looking into whether a law should be drafted to levy fines or criminal charges on one who causes the death, by their negligence, of an endangered animal.

In a statement Wednesday, Rep. Driehaus said she'd spoken "at length" with Cincinnati Zoo Director Thane Maynard and urged caution from those judging actions of zoo officials and the family involved.

"I trust the zoo officials and am confident they exercised their best professional judgment given the harrowing circumstances," Rep. Driehaus said. "Though losing Harambe is truly tragic, our community can take comfort in the fact that the zoo prevented the serious injury or death of a three-year-old child. I am thankful the zoo protected this young boy's life."

Later in the day, the *Enquirer* reported that an investigation had concluded and no charges would be filed.

U.S. Senate Race: U.S. Sen. Rob Portman's (R-Terrace Park) reelection campaign launched his first television ads this week.

The three ads are intended to showcase Sen. Portman's efforts to combat the prescription drug and heroin epidemic. They're part of a \$15 million ad buy stretching until November that was announced last month. (See Gongwer Ohio Report, May 12, 2016)

"Working together with Democrats and Republicans, I passed legislation to help break the grip of addiction," Sen. Portman said in one of the ads. "By investing in prevention, treatment, and recovery, empowering law enforcement, and stopping the over prescribing of painkillers, we can turn the tide."

NARAL Pro-Choice America, meanwhile, announced its own ad campaign targeting Sen. Portman. The campaign is aimed at pressuring Sen. Portman and other Republicans to fulfill the ongoing Supreme Court vacancy.

"NARAL is stepping up to ensure Sen. Portman does the job the people of Ohio elected him to do," NARAL Senior Vice President Sasha Bruce said.

Sen. Portman, who like many of his colleagues believes the next president should fill the post, previously said his stance is "the right thing for the country." (See Gongwer Ohio Report, May 9, 2016)

Former Democratic Gov. Ted Strickland, who's running in an effort to unseat Sen. Portman, landed the endorsement of the American Federation of Teachers, the group announced Wednesday.

"The future of our state depends on whether we are committed to our children," Ohio Federation of Teachers President Melissa Cropper said. "Ohio students and parents need the kind of arduous support Governor Strickland provides in making education his highest priority."

Capitol Scene: Kasich Names Kalmbach Press Secretary; Buckeye Institute Adds Research, Communications Staff

Gov. John Kasich on Wednesday named Emmalee Kalmbach as his press secretary.

Currently the communications director for Lt. Gov. Mary Taylor, the Bob Jones University graduate recently served as a member of the communications team for the governor's presidential campaign.

The native of Littleton, N.H. is also the former communications director for the Massachusetts Republican Party.

Ms. Kalmbach replaces Joe Andrews, who has been serving as the governor's interim press secretary since Rob Nichols departed last summer to work on the campaign. Mr. Andrews will return to his position as communications director for the Department of Public Safety.

In another development impacting the governor's staff, Jon Keeling, a former political blogger and deputy communications director for Mr. Kasich, has been named spokesman for the Department of Job and Family Services.

Buckeye Institute: The Columbus-based free market think tank on Wednesday announced two new staff members with the aim of focusing on budget and labor issues.

Orphe Divounguy was named economist in the Institute's Economic Research Center, and Jeff Reed will serve as the group's communications director.

Mr. Divounguys research will focus on current economic issues, including public assistance programs and labor policies, and will entail "dynamic" scoring and analysis of

budgets in Ohio and other states, according to the group. Mr. Reed will lead the organization's state and national press relations and marketing.

"We are excited about the ideas and experience Jeff and Orphe bring to The Buckeye Institute and to Ohio," President and CEO Robert Alt said in a statement.

"The expansion of our Economic Research Center will make Buckeye the go-to resource for economic analysis of legislation. And Mr. Reed's extensive background in marketing will assure that our ideas are seen around the state and across the country."

Mr. Divounguy holds degrees from England's University of Southampton, and after receiving his Ph.D., he served as a teaching and research fellow and international economic consultant.

Mr. Reed previously served as the global communications leader for Corporate Responsibility at Indiana-based Cummins Inc. The Ohio University graduate previously held posts with the Friedman Foundation for Educational Choice and the American Legislative Exchange Council in Washington, D.C.

Governor's Appointments

Community Schools Dropout Recovery Study Committee: Alex Johnson of Solon for a term beginning May 31, 2016 and continuing at the pleasure of the governor.

Cleveland State University Board of Trustees: Todd C. Davidson of Cleveland for a term beginning May 31, 2016 and ending May 1, 2025.

Hamilton County Court of Common Pleas: Thomas D. Heekin Jr. of Cincinnati will assume office on June 6, 2016 and must run in the November 2016 general election to retain the seat for the full term commencing January 4, 2017. Mr. Heekin holds degrees from the University of Colorado and University of Cincinnati. He has been a criminal litigator for Heekin & Heekin since 2002.

State Employment Relations Board: J. Richard Lumpe of Columbus for a term beginning June 1, 2016 and ending October 6, 2021.

Supplemental Agency Calendar

Thursday, June 2

Elections Commission, Rm. East B., 31st Fl., 77 S. High St., Columbus, 10 a.m.

Monday, June 6

STEM Designation Committee, 25 S. Front St., Columbus, 1 p.m.

Wednesday, June 8

Consumers' Counsel Governing Board, Suite 1800, 10 W. Broad St., Columbus, 9 a.m.

Thursday, June 16

Expositions Commission, Voinovich Center, 717 E. 17th Ave., Columbus, 11 a.m.

Supplemental Event Planner

Thursday, June 30

20th Annual Rockin' Fiscal Eve, Miller's Ale House, 1201 Olentangy River Rd., Columbus, 5 p.m.,
(All-invited celebration
of the end of MBRs in FY 2016 with MBRs (Massive Beer Rounds). Parking adjacent to building.)

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Senate Activity for Wednesday, June 1, 2016

INTRODUCED

SB 337 ■ **ROAD NAMING (Hughes, J.)** To designate a portion of Interstate Route 270 in Franklin County as the "Hilliard Patrol Officer Sean Johnson Memorial Highway." Am. 5534.44

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Daily Activity Planner for Thursday, June 2

Legislative Committees

No legislative committees scheduled.

Agency Calendar

Construction Industry Licensing Board, 6606 Tussing Road, OCILB Conference Room, Reynoldsburg, 10 a.m. (HVAC Section)

Elections Commission, Rm. East B., 31st Fl., 77 S. High St., Columbus, 10 a.m.

State Employment Relations Board, 65 E. State St., 12th Fl., Columbus, 10 a.m.

Event Planner

Ohio Department of Taxation public hearing on proposed current agricultural use values, 22rd Floor, 30 E. Broad Street, Columbus, 10 a.m.

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Wednesday, June 1, 2016

IN TODAY'S HANNAH REPORT:

Please click here to read the entire Hannah Report.

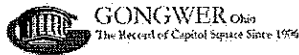
Today's Stories

- [Senate Announces Sessions for Rest of 2016; Composite Schedule Included with Today's Report](#)
- [Ohio First State to Launch STABLE Accounts under Federal Law](#)
- [Federal Judge Extends Block on Planned Parenthood Defunding Bill](#)
- [Local Leaders, OhioMHAS Join for Recovery Summit](#)
- [OTA Convention Features Next Gen 9-1-1 Discussion](#)
- [Last Week of Session Sees Legislature Finish Work on 35 Bills](#)
- [Study Panel to Consider Dropout Recovery School Issues](#)
- [State Government Roundup: Governor; AG](#)
- [Campaign Corner: Mary Taylor](#)
- [People in the News: Buckeye Institute](#)
- [Ohio Digest: COTA Funds](#)
- [Campus Chronicle: Special Education Grant](#)

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From: Gongwer News Service
Sent: Thursday, July 7, 2016 6:15 PM
To: DL_Gongwer
Subject: Ohio Report, Thursday, July 7, 2016
Attachments: Jul7.htm; 160707dayplan.htm; Jul8Schedule.htm



Ohio Report for Thursday, July 7, 2016

Stakeholders Point To New Charter Laws As Closures Increase, ODE Denies All Sponsorship Applications

Medicaid Underspending Driven By Increased Enrollment In Expansion Program, Administration Says

November Ballot Won't Include Any Citizen-Initiated Amendments, Statutes; Some Groups Set Sights On 2017

High Court Set To Hear Two Death Penalty Cases, Along With Four Other Cases Next Week

June Revenue Down At Most Casinos, All Racinos

Cleveland, Akron To Join White House Mentorship Initiative

In Cincinnati, Trump Expands On Controversies; ODP Blasts Billionaire's Business Record

Court Briefs: Buckeye Institute Files Brief In 'Golden Week' Lawsuit; Former Mayor Legally Fired From Lottery Commission Post...

Capitol Scene: Fadel Appointed Ohio Insurance Institute President

Supplemental Agency Calendar

Calendars

Day Planner

Legislative Committee Schedules

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Volume #85, Report #130 -- Thursday, July 7, 2016

Stakeholders Point To New Charter Laws As Closures Increase, ODE Denies All Sponsorship Applications

In the wake of updated charter school laws, the list of buildings closing this summer is longer than ever and the Department of Education has declined to sponsor any new schools that submitted applications.

At the end of the fiscal year, 20 charter schools did not sign new sponsor contracts and will close their doors, according to ODE. Of those, 11 were given notice in January that their sponsors were dropping them, typically because of poor academic performance, while the other half closed voluntarily. (Closure List)

More than 100 other schools have shut down in the last five years, but this year's group is the largest since June 30, 2014 when 19 schools did not sign new contracts.

A handful of the schools that were given notice that their contracts wouldn't be renewed applied to ODE's Office of School Sponsorship, which can sponsor start-up schools and take over existing schools looking for new sponsors.

None of the 10 schools that sought new sponsorship were approved, however - a first for the department, according to application records from previous years. (Sponsorship Applicants)

Charter schools sponsors and supporters point to tighter closure and sponsorship laws (HB 2) as a cause for this year's stats.

Ron Adler, president of the Ohio Coalition for Quality Education, said it's likely that schools will continue to close in higher numbers each year because of sponsors' concerns about how their schools' state report card scores will impact their evaluations.

"I think that there are probably some schools being closed that probably need to be closed. However, I think sponsors today, with some of the criteria that has come through the Ohio Department of Education that has made it almost impossible and created penalties, they don't want to sponsor some schools," he said.

"We've got some sponsors that are very good at turning around schools and (ODE) has created such a fear factor that sponsors are hesitant for their own existence to help and improve the schools."

The new sponsor evaluations, which are detailed in the latest charter school legislation and overseen by ODE, factor in quality, compliance and academic performance.

Sponsors that don't score well in those areas could face losing their ability to continue sponsoring schools.

Sponsors have said they're prepared for poor showings in the performance category because of lower state test scores across the board. Unlike traditional schools, charters were not granted safe harbor from impacts related to report card results reflecting new standardized exams.

In addition to calling out lawmakers for failing to provide them with safe harbor, sponsors have also recently complained that it will be impossible to meet deadlines for producing compliance documentation that was requested by ODE as a result of the new laws. (See Gongwer Ohio Report, June 30, 2016)

"I think that House Bill 2 is being revered by some," Mr. Adler said in an interview. "I see it as all compliance, compliance, compliance. It is 106 pages of rules, regulations and mandates that just make it more difficult to operate and improve achievement."

Chad Aldis, vice president of Ohio policy and advocacy for the Thomas B. Fordham Institute, agreed that it is likely sponsors gave consideration to the new evaluations when making closure decisions this year.

But, he said he's hopeful that any needed tweaks can be made to both the laws and as the new procedures play out over the next few years.

"There are a lot of good charter schools and we wouldn't want to see them closed as a result of this and you also wouldn't want to see sponsors so afraid of the provisions that they won't open potentially new, strong, innovative schools that could really make a difference for kids," Mr. Aldis said.

"I think what we're in right now is a little bit of a correction phase and hopefully sponsors will have confidence in their decisions and continue to open schools when the school is likely to be successful."

Five sponsors in the state have plans to open 10 start-up schools for the 2016-17 school year, according to ODE. (Potential New Schools List)

ODE's Office of School Sponsorship will be evaluated with all other sponsors, but is not impacted by the new rating system that could prohibit a sponsor from taking on new schools or put a sponsor out of business.

However, the office took a more discerning approach this year when reviewing applications for taking over existing schools or aiding start-up operations.

"A top priority for the Ohio Department of Education is a strong system of accountability for all schools in our state, including charter schools and their sponsors," agency spokeswoman Brittany Halpin said. "Provisions in the recent charter school reform

legislation strengthen the department's ability to support high quality options for the state's students."

In the past, the department was required to sponsor any school that followed the application process correctly, but new laws allow it to deny schools that aren't meeting certain standards.

Mr. Aldis called the update that allowed it to decline all of this year's applications a "smart change."

"If (ODE) is going to sponsor schools, it should absolutely be able to determine whether the schools are performing well before it just takes one on," he said in an interview.

It's possible schools will continue to close at the same pace in coming years because House Bill 2 also put in place some guardrails to limit so-called "sponsor-hopping," Mr. Aldis said.

Updated laws prohibit charter schools from seeking new sponsorship if they don't meet fiscal management or performance requirements.

"The ability for lower performing schools to change sponsors is not what it used to be, so when you see the overall number of closures, some of those in the past might have gone on to a different sponsor and that can't happen now," he said.

Medicaid Underspending Driven By Increased Enrollment In Expansion Program, Administration Says

The Kasich administration credits an improving economy and a more accurate eligibility determination system with driving nearly \$1.3 billion in Medicaid underspending last fiscal year.

The Medicaid program finished the year spending about \$926 million less than expected from the General Revenue Fund, and nearly \$1.3 billion less than expected from all funds, according to the Governor's Office of Health Transformation.

The underspending continues a longtime trend in the program covering multiple administrations. (See Gongwer Ohio Report, July 6, 2016)

According to OHT, the program enrolled about 3 million Ohioans on an average monthly basis during fiscal year 2016, about 32,000 below projections. While the overall enrollment was below projections, the number of people enrolled in the expansion group, which is completely funded by federal dollars, increased by 26,000.

Meanwhile, the number of people enrolled in the traditional program, which is partially funded by the state, was 58,000 below the estimate, according to OHT.

The administration said part of this shift is due to an improving economy - as people make more money, they move out of traditional Medicaid and into the expansion group, which includes people making up to 138% of the federal poverty level.

OHT also credited a new and more accurate system to determine eligibility, which assigns new enrollees to the proper category and moves them off the program as their finances improve.

Total Medicaid spending from all funding sources was \$25.3 billion, of which nearly \$17 billion came through the General Revenue Fund.

The federal share of Medicaid spending last fiscal year was \$715 million, or 3.9%, below the original budget estimate, while the state's share was \$550 million, or 6.7%, below the original estimate, according to OHT.

In fiscal year 2015, the Department of Medicaid reported total Medicaid spending of \$1.9 billion below the original budget estimate.

That year, enrollment for the expansion group was more than 152,000 above the original estimate, while enrollment in the traditional program was 192,000 below estimate.

November Ballot Won't Include Any Citizen-Initiated Amendments, Statutes; Some Groups Set Sights On 2017

No citizen-initiated issues will appear on November's ballot, Secretary of State Jon Husted announced Thursday, a day after the deadline to file petitions for proposed constitutional amendments and initiated statutes.

A few high-profile efforts to reach the ballot were made this year, including two related to medical marijuana and one related to prescription drug prices, but none of those issues found a place on the ballot in November.

Backers of an initiated statute designed to lower the cost of prescription drugs will aim for 2017, said Michael Weinstein, president of the California-based AIDS Healthcare Foundation, which supported the measure.

Supporters of the proposal, called the Ohio Drug Price Relief Act, initially gathered enough signatures to bring it before the legislature, where no action was taken, but a review of those petitions by the secretary of state's office delayed the collection of signatures, prompting lawsuits by the initiated statute's supporters in state and federal courts. Both cases were dismissed after Mr. Husted transmitted the proposal to the General Assembly. (See Gongwer Ohio Report, April 19, 2016)

In an email, Mr. Weinstein said the proposal will have to wait for next year after the delays.

"We will go for 2017," he said. "We are collecting and will submit sufficient signatures within the 90 days allowed."

Another lawsuit, filed by industry groups challenging the petition signatures gathered for the initiated statute, is ongoing. (See Gongwer Ohio Report, June 8, 2016)

A proposal dealing with lawmaker lobbying, called Ethics First - You Decide Ohio, also made a push for the ballot. The Ballot Board divided the issue into three different issues, a decision the amendment's backers challenged in the Ohio Supreme Court. The Court dismissed that challenge in May. (See Gongwer Ohio Report, May 24, 2016)

Ronald Alban, one of the proposal's backers, said in an email that they have no intention of moving forward with the proposal.

Two citizen-initiated proposals to legalize medical marijuana, one backed by the Washington-based Marijuana Policy Project and the other by a group called Grassroots Ohio, will also not appear on the ballot after an early push in the wake of last year's failed Issue 3 vote.

The MPP-backed Ohioans for Medical Marijuana group announced it would not pursue the ballot after lawmakers passed a bill (HB 523) in May creating a medical marijuana system. (See Gongwer Ohio Report, May 31, 2016)

Backers of Grassroots Ohio have said they are pushing forward with their proposal, which would create a constitutional right to possess marijuana for a medical purpose, with an eye on the 2017 ballot.

High Court Set To Hear Two Death Penalty Cases, Along With Four Other Cases Next Week

The Ohio Supreme Court will hear appeals in two death penalty cases next week.

In one case, an Akron man convicted of the 2011 murders of his children's mother and her boyfriend plans to raise 14 legal claims in appealing both his sentence and conviction.

David Spaulding, who was sentenced to death for the 2011 murder of Erica Singleton and Ernest Thomas, will argue that he received ineffective legal counsel because both of his attorneys were not present for all proceedings in the case, that a witness' statement should have been suppressed and that he was denied legal counsel during interrogation.

Ms. Singleton obtained a civil protection order against Mr. Spaulding on Dec. 1, 2011, following a string of domestic violence incidents. However, two weeks later, Mr. Spaulding showed up at the place Ms. Singleton was staying with Mr. Thomas. He first shot another tenant, Patrick Griffin, who was paralyzed by the shooting, before killing Ms. Singleton and Mr. Thomas in their driveway.

In January 2013, a jury convicted Mr. Spaulding of aggravated murder, attempted murder and violation of a protection order.

In the second case, a Medina County man will argue that seven claims of legal and procedural errors should afford him a new trial.

Steven Cepec will claim that, among other issues, he was prejudiced by statements in court about a prior burglary conviction, that the trial court should have held a hearing on the competency of a witness and that his constitutional rights were violated because police continued to question him after he asked for a lawyer.

Mr. Cepec was convicted of murder, aggravated robbery and aggravated burglary following the 2010 death of Frank Munz, who was found bludgeoned with a hammer and strangled with a lamp cord.

Police arrived on the scene while Mr. Cepec was still in the home after receiving a call from Mr. Munz's nephew, Paul Munz, whose testimony at trial was called into question in the appeal. Upon arrival by the police, Mr. Cepec fled on foot. He was later found nearby hiding under a bush, the court reported.

The high court will hear four other cases next week:

- In *re Application of Buckeye Wind*, the high court will hear arguments from Champaign County residents that a hearing should be held on amended construction plans for the state's first wind-powered generation facility. The Power Siting Board approved a construction application in 2010 and the developer proposed revision to the plans in 2013.
- In *Disciplinary Counsel v. Joltin*, disciplinary counsel will object to the professional conduct board's proposed sanctions on a Canfield attorney found to have mishandled client funds, mismanaged his client trust account and not fully cooperated with the investigation. The professional conduct board proposed a sanction of two years, with 18 months stayed under certain conditions. However, disciplinary counsel will argue for an indefinite suspension.
- In *Defiance County v. Testa*, the court will consider whether the tax commissioner lawfully denied a Defiance County commissioner's request to transfer \$2.5 million from the county landfill fund to pay for emergency repairs to the county courthouse and to make renovations to meet federal Americans with Disabilities Act requirements.
- In *Foley v. University of Dayton*, the court will decide what the statute of limitations is for filing a negligent misidentification claim and whether absolute privilege or qualified privilege shield the defendants' statements to law enforcement.

June Revenue Down At Most Casinos, All Racinos

Overall revenue at Ohio's four casinos was down in June, with three of them seeing decreases from May, according to the Casino Control Commission.

The four casinos took in \$62.9 million in revenue in June, down from \$66.5 million in May and the lowest total of the year so far, according to revenue reports. Last June, the casinos brought in \$63.5 million, the lowest monthly total of the year.

Video lottery terminals at the state's racinos brought in a total of \$70.7 million in June, down from \$78.2 million in May. They ended the fiscal year with nearly \$869 million in revenue, up from \$773 million in fiscal year 2015. (VLT reports)

JACK Cleveland was the only Ohio casino to see an uptick in revenue in June, bringing in \$16.3 million compared to just over \$16 million in May, according to revenue reports. The casino was closed for 40 hours in May while it rebranded from Horseshoe Cleveland to JACK Cleveland.

Of JACK Cleveland's revenue, \$8.7 million came from table games, while \$7.6 came from slot machines, according to the report. The casino's monthly revenue was up nearly \$2 million from \$14.4 million in June 2015.

JACK Cincinnati saw the biggest drop in revenue in June, bringing in \$14.1 million compared to \$16.2 million the month before. JACK Cincinnati was closed for 40 hours in June to rebrand from Horseshoe Cincinnati. Of its revenue in June, \$9.4 million came from slot machines and \$4.6 million came from table games. Last June, the casino brought in \$16.1 million.

Hollywood Columbus saw revenue drop by more than \$860,000, falling from nearly \$17.8 million in May to more than \$16.9 million in June. Slot machines accounted for \$11.8 million in revenue, while table games accounted for \$5.1 million. Last June, the casino's revenue was \$16.4 million.

Hollywood Toledo saw revenue drop nearly \$900,000 to \$15.6 million in June, with more than \$13 million coming from slot machines and \$2.6 million coming from table games. Last June, the casino took in \$16.6 million.

Racinos: VLT revenue at all seven of the states racinos declined from May to June, with Scioto Downs seeing the largest decrease, dropping nearly \$1.7 million from just under \$13.5 million in May to just under \$11.8 million in June.

At Hard Rock Racino Northfield Park, revenue fell more than \$1.5 million to \$17.9 million in June, while at Miami Valley Gaming it fell by nearly \$1.5 million to \$10.8 million.

Revenue at JACK Thistledown Racino fell by more than \$941,000 to \$9.1 million. At Hollywood Mahoning Valley Race Course, it fell by nearly \$806,000 to \$7.6 million. Revenue at Hollywood Gaming Dayton Raceway fell more than \$693,000 to just under \$7 million in June, and revenue at Belterra Park fell more than \$457,000 to \$6.4 million.

Cleveland, Akron To Join White House Mentorship Initiative

U.S. Sen Sherrod Brown will be joined by administration officials this week in Northeast Ohio to expand an initiative that aims to provide mentoring and opportunities for boys and young men of color.

My Brother's Keeper, a program launched by President Obama in 2014, is coming to Akron and Cleveland Friday, the Avon Democrat announced in a Thursday call with reporters.

They will join Dayton, Columbus, Massillon, East Cleveland and Berea in becoming MBK communities that provide mentorship and resources. Sen. Brown said Cincinnati is also preparing to take part in the initiative.

"It's up to all of us to ensure that all our children - regardless of their zip code or the color of their skin - have the opportunity to succeed," he said. "And I hope more cities across our state will accept the My Brother's Keeper Challenge, and work toward that goal."

Nearly 250 communities have agreed to be part of the MBK Challenge, said Broderick Johnson, chair of president's MBK Task Force. Partnerships in those communities have resulted in more than \$600 million in grants and in-kind resources.

One of the latest drives of the initiative is to link sixth and ninth graders with mentors who can provide support and encouragement to go to school and work toward graduation, he said. Cleveland will be among 30 communities in the country that will provide those mentors focused on reducing chronic absences from school.

Federal agencies also recently partnered to launch the Second Chance Pell pilot program under the MBK umbrella, Mr. Johnson said. It allows 67 colleges and universities - including Ashland University - to provide Pell Grants to 12,000 inmates.

"We're working to make sure the various departments of the federal government that are part of the MBK Task Force continue to look at the programs they have and collaborate on programs to make sure that we can better target federal resources and partnerships with the private sector so that every child in this country has a clear pathway to success, really from crib through college and career," he said during the call.

MBK Mentor Quinn Howard said the program is working in Dayton to provide positive role models for young men of color.

The starting point for Dayton's mentorship program is to help youth "see themselves as contributors to the community," he said.

"Young men in our community need to see positive role models that they can emulate," Mr. Howard said. "It is important not only to provide young men with direction and guidance but to also build nurturing relationships through listening and understanding."

Mentoring young men with basic fundamental values will hopefully provide them with a sense of purpose that can help can help them succeed in life."

In Cincinnati, Trump Expands On Controversies; ODP Blasts Billionaire's Business Record

Before Donald Trump took the stage in Cincinnati Wednesday evening, he was expected to use the speech to hammer Hillary Clinton over recent events pertaining to her use of a private email server.

Instead, he spent most of his time stoking further controversy over his recent comments on Saddam Hussein and doubling down in his defense of an image he tweeted that has been deemed to be anti-Semitic.

The GOP presumptive nominee did strike out at Ms. Clinton in his stream-of-consciousness remarks, deriding an FBI recommendation that she not be charged and, in a tangent, likening her to a mosquito when one landed on his lectern.

"It's a disgrace," he said. "She has got bad judgment."

But the candidate spent more than two-thirds of his more than one-hour long speech seeking to explain his own controversies in recent days, effectively fanning the media attention those remarks have received.

That includes controversy over Mr. Trump's Saturday tweet featuring a picture of Ms. Clinton against a backdrop of dollar bills with a six-pointed star containing the text "Most corrupt politician ever."

The tweet drew criticism from those contending the graphic is rooted in anti-Semitism, but Mr. Trump has since said the star is less a Star of David and more of a "sheriff's badge" and that it is the media, not his campaign, that is being prejudicial.

"(The media's) profiling," he told the Sharonville crowd. "Not us. Because why are they bringing this up?"

Mr. Trump, in his most expansive remarks on the topic yet, said he was disappointed his staff took down the tweet.

He also expanded on his prior remarks at a Tuesday rally and in interviews in which he seemingly praised Saddam Hussein for dispatching terrorists. House Speaker Paul Ryan and others have criticized the remarks.

In his comments Wednesday, Mr. Trump said it was inaccurate to characterize his comments as "praise" for the fallen dictator.

"I said Saddam Hussein is a bad man...but he did one thing well: he killed terrorists," Mr. Trump said. "I wake up and turn on the television: 'Donald Trump loves Saddam Hussein.' That's not what I said."

In a one-on-one interview with the Cincinnati Enquirer, Mr. Trump said, "That's not praising Saddam Hussein. I would say maybe it's the opposite."

The interview seemingly led a Trump spokeswoman to attempt to "dress down" the reporter for "disrespectful questioning," according to tweets of the exchange from the journalist.

"I said Trump's the GOP candidate for president and tough questions are part of the job," the reporter tweeted. "(Trump press secretary Hope Hicks) said as a candidate he deserves respect."

Former House Speaker Newt Gingrich, a potential VP pick, also appeared at the rally, though his appearance was overshadowed in media reports by Mr. Trump's speech.

He accused the Clintons of corruption and questioned the timing of the recent FBI announcement. He also took a swipe at Gov. John Kasich, who has declined to endorse the billionaire, saying that although the governor "is a good friend of mine, it's about time he got on the Trump bandwagon."

Democrats: State Party Chairman David Pepper and Columbus City Councilmember Jaiza Page held a press conference on the steps of Columbus City Hall Thursday, responding to Mr. Trump's remarks and seeking to cast him as a failed businessman.

Mr. Pepper contrasted Mr. Trump's Cincinnati appearance with Ms. Clinton's Ohio visit last week, saying of Mr. Trump's speech "I don't even know how to characterize what a disturbing speech it was." (See Gongwer Ohio Report, June 27, 2016)

Organized by the Clinton campaign, the event was the latest in a line of attacks from Clinton supporters on Mr. Trump's business dealings in Atlantic City, which they contend includes bankruptcies, failures to pay contractors and the loss of hundreds of jobs.

Mr. Trump has promised to bring the same level of success to running the country as he has to his business ventures.

"(In Atlantic City,) Trump came out on top but the city didn't," Mr. Pepper said. "It's not just Atlantic City. This is a pattern over the years all around the country... We just can't let Donald Trump do to Ohio, do to Columbus, what he did to Atlantic City and what he's done to innocent Americans all over the state through his business actions and scams."

Court Briefs: Buckeye Institute Files Brief In 'Golden Week' Lawsuit; Former Mayor Legally Fired From Lottery Commission Post...

The Buckeye Institute has joined the battle over whether Ohioans should have a five-day window in which they can register to vote and cast ballots on the same day.

The group has filed a brief in the U.S. Sixth District Court of Appeals supporting Secretary of State Jon Husted's challenge to a lower court ruling that found the elimination of "Golden Week" to be a violation of the Voting Rights Act. (See Gongwer Ohio Report, May 24, 2016)

U.S. District Court Judge Michael Watson found that the elimination of Golden Week disproportionately impacted black voters in Ohio.

The Buckeye Institute, however, challenged that finding in its brief.

"The fact that African Americans previously used Golden Week at slightly higher rates does not suggest that they will somehow stop participating under the new law. All the minority voters who voted in Golden Week are ready and able to vote in the current four-week period, and there is no evidence suggesting they will not avail themselves of that broad opportunity," it reads.

Representing The Buckeye Institute in the case is Michael Carvin, an election and appellate law expert with the global Jones Day law firm.

"Plaintiffs argue that a federal law that has been on the books for 34 years suddenly requires Ohio to extend its already generous early voting and requires Ohio to permit same-day registration. The law does no such things," Mr. Carvin said in a statement. "Nor does it invalidate the laws of the 40 states that offer fewer voting days than Ohio."

Firing: The Court of Claims has found that former Seven Hills Mayor David Bentkowski was legally terminated from his post at the Lottery Commission.

Mr. Bentkowski, who was terminated in November 2012, alleged that his supervisor and the lottery's director of human resources engaged in discriminatory practices. He claimed Elizabeth Popadiuk made discriminatory remarks about Lottery Commission employees, which she denied, the high court reported.

Court of Claims Judge Patrick McGrath found that Mr. Bentkowski failed to prove that his firing was payback for claiming the employer was engaged in discriminating practices.

Pro Bono Work: Ohio attorneys provided pro bono work in 2015 to the tune of \$10.3 million, the Ohio Legal Assistance Foundation and the Ohio Supreme Court reported Thursday.

More than 4,300 attorneys reported pro bono activity in 2015, accounting for about 76,300 hours of free legal service.

Another \$406,000 was donated to organizations that provide legal services to low-income Ohioans.

"We were excited that the number of attorneys who voluntarily reported their pro bono work more than doubled from last year," OLAF's Pro Bono and Communications Director Jane Taylor said in a statement. "I believe these results reflect the Court's continuing emphasis on access to justice for all and its strong commitment to ensuring that every Ohioan can get legal help, regardless of income."

Capitol Scene: Fadel Appointed Ohio Insurance Institute President

Longtime Ohio Insurance Institute staffer Dean Fadel will serve as the association's newest president, OII Board Chairman Tim Timmel announced Thursday.

Mr. Fadel, who has been with OII since 1988 and currently serves as its vice president of government relations, will transition to the new position over the next few weeks, according to the board.

He'll replace President Dan Kelso, who recently announced retirement plans. Mr. Kelso had led the association since 1989, when it merged with the Insurance Federation of Ohio, which he had overseen since 1977.

"We're confident that the association will continue making great strides on behalf of its members, Ohio's property/casualty (P/C) insurance companies, with a focus on maintaining the stable, affordable insurance environment that Ohio consumers have experienced for decades," Mr. Timmel said of the transition.

Supplemental Agency Calendar

Wednesday, July 13

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

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Click the  after a bill number to create a saved search and email alert for that bill.

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Daily Activity Planner for Friday, July 8

Legislative Committees

No legislative committees scheduled.

Agency Calendar

Board of Building Standards, Division of Industrial Compliance, 6606 Tussing Road, Training Room, Reynoldsburg, 10 a.m. (The Code Committee will meet immediately after the full board.)

State Emergency Response Commission, 2855 W. Dublin-Granville Rd., Columbus, 1:15 p.m.

Event Planner

Rep. Bill Reineke (R-Tiffin) golf outing fundraiser, Mohawk Golf and Country Club, 4399 S. State Route 231, Tiffin, 8:30 a.m., (8:30am Light Breakfast and Registration; 10:00am Shotgun Start. Major Sponsor: \$2,500; Registration Sponsor: \$1,500; Scoreboard Sponsor: \$750; Foursome: \$600; Driving Range Sponsor: \$500; Beverage Cart Sponsor: \$250; Individual Golfer: \$175; Hole Sponsor: \$150 to Friends of Bill Reineke)
Summer Fridays at the Statehouse concert, West Steps, Statehouse, Columbus, 12 p.m., (RMT)

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Legislative Committee Schedules beginning 7/8/2016

Monday, July 11

Joint Committee on Agency Rule Review (Committee Record) (Chr. Uecker, J., 466-4086), Senate Finance Hearing Rm., 1:30 p.m.


Tuesday, July 12

Senate Public Utilities (Committee Record) (Chr. Seitz, B., 466-8068), Finance Hearing Rm., 1 p.m.

- Confirmation hearings on governor's appointments of Asim Haque and Howard Petricoff, Public Utilities Commission of Ohio

Thursday, July 21

Joint Medicaid Oversight Committee (Committee Record) (Chr. Burke, D., 466-1731), Senate Finance Hearing Rm., 9 a.m.

NOTE: Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the  after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

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Sent: Tuesday, September 6, 2016 5:50 PM
To: DL_Gongwer
Subject: Ohio Report, Tuesday, September 6, 2016
Attachments: Sep6House.htm; 160906dayplan.htm; Sep6.htm



Ohio Report for Tuesday, September 6, 2016

Stakeholder Group Reconvenes To Recommend Sponsor Evaluation Updates

House District 16: Cuyahoga Councilman Faces Democratic Operative In Battle For Baker Seat

Buckeye Institute Calls For More Union Decertification Votes, Policy Matters Ohio Urges Lawmakers To Promote Unionization

State Board Looking To Help 2,000 Displaced Ohio ITT Students

Ohio Sees Drop In Obesity Rate, But Trends Show Continued Rise In Diabetes, Hypertension, Report Says

Trump, Clinton Spend Holiday Campaigning In Ohio

Democratic PAC Cancels \$3M More In Strickland Ads; Nicklaus Backs Portman

From Congress: Brown, Portman Praise Trade Ruling On Steel; Kaptur Welcomes \$2M In Housing Funds; Latta Tours OSU Radio Optics Lab...

Court Briefs: Court Rules Meigs County Charter Proposal Should Move Forward; Man Injured At Basketball Game Loses Case; Attorneys Reprimanded...

Supplemental Agency Calendar

Supplemental Event Planner

Activity Reports

House

Calendars

Day Planner

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House Activity for Tuesday, September 6, 2016

INTRODUCED

HB 594 ■ **COMMUNITY SCHOOLS (Roegner, K.)** Regarding public moneys returned to the state as a result of a finding of recovery issued pursuant to an audit of a community school. Am. 3314.52

HOUSE SPEAKER'S APPOINTMENTS

State Audit Committee: Ranjan Manoranjan

Ohio Public Employees Deferred Compensation Board: Rep. Boggs

Task Force for Creating Opportunities for Shared Governance on Co-Located Campuses:
Representative Schuring; Dr. Para M. Jones and Natasha Pollock

Insurance Committee: Appoint Rep. Brinkman as chair

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Daily Activity Planner for Wednesday, September 7

Legislative Committees

No legislative committees scheduled.

Agency Calendar

Board of Building Appeals, Ohio Department of Transportation, District Three Office, Conference Room, 906 Clark Avenue, Ashland, 8:30 a.m.

Board of Building Standards, 6606 Tussing Road, Training Room 1, Reynoldsburg, 9 a.m. (Code Committee)

Real Estate Commission, Division of Real Estate and Professional Licensing, 77 South High Street, 22nd Floor, Columbus, 9 a.m.

Southern Ohio Agricultural & Community Development Foundation, 100 S. High St., Hillsboro, 9 a.m. (Agriculture Development Committee)

Petroleum Underground Storage Tank Release Compensation Board, 50 West Broad Street - Suite 1500, Columbus, 10 a.m.

State Personnel Board of Review, 65 E. State St., 12th Fl., Columbus, 10 a.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Event Planner

Sen. Bill Beagle (R-Tipp City) & Sen. Bob Peterson (R-Sabina) golf outing fundraiser, County Club at Muirfield Village, 8715 Muirfield Drive, Dublin, 8:30 a.m., (\$1,000 Total Contribution. Golfers pay for their own golf. Please make separate checks for \$500 each payable to Citizens for Bill Beagle & Peterson for Good Government)

House Democrats legislative agenda news conference, West Steps, Statehouse, Columbus, 11 a.m.

Rep. Scott Ryan (R-Newark) and Rep. Rob McColley (R-Napoleon) fundraiser, Due Amici, 65 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Sponsor: \$500; Host: \$350 to Citizens for Scott Ryan and/or Citizens for McColley)

Release of August casino revenue figures, 1:30 p.m.

Sen. Jim Hughes (R-Columbus) fundraiser, Victory's, 543 S. High St., Columbus, 5 p.m., (Sponsor: \$2,500, Host: \$1,500, Patron: \$1,000 to Committee for Jim Hughes)

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Volume #85, Report #172 -- Tuesday, September 6, 2016

Stakeholder Group Reconvenes To Recommend Sponsor Evaluation Updates

A group of charter school sponsors who previously worked to update the process by which they are evaluated has reunited to offer new recommendations as the Ohio Department of Education heads back to the drawing board.

Sponsors have been raising concerns about a change in evaluation practices since they were introduced last year, but the time is ripe for them to step in and make their voices heard following the Joint Committee on Agency Rule Review's shelving of a rule dealing with the compliance portion of the reviews.

St. Aloysius representative Dave Cash said he recently reconvened a stakeholder group that had been defunct for the past three years, hoping that JCARR's decision could provide an opportunity for members to provide feedback and offer suggestions on the evaluations.

JCARR leaders have since said they expect the ODE to present an updated rule and the Common Sense Initiative has asked the agency to collect additional public comments.

"We anticipated JCARR would send the rule back and get stakeholder feedback that they did not get the first time. Who better to try to provide some of that stakeholder input than the ones who were involved in the evaluation to begin with?" Mr. Cash said in an interview.

"We've put a significant amount of resources into trying to put an evaluation tool together that was then not finished out and then not implemented well and it all fell apart. We felt it was our obligation to try to step up and offer recommendations to fix it."

The group, which includes representatives from the Ohio Association of Charter School Authorizers, Ohio Coalition for Quality Education, Ohio Alliance for Public Charter Schools, Reynoldsburg City Schools, and the Thomas B. Fordham Foundation, originally began meeting in 2012.

At that time, members - who were also joined by representatives of the National Association of Charter School Authorizers and ODE employees - spent a year and a half crafting a process to measure sponsor compliance and piloting it throughout the state.

Their recommendations on compliance became part of the previous sponsor evaluation that was never fully implemented and was ultimately revamped because it came to light that sponsor ratings were miscalculated by then-Office of School Choice Director David Hansen.

Sticking with some of the same premises as the last time they were active, the group is also taking into consideration new laws as it drafts updated recommendations, some of which have already been presented to CSI and ODE, Mr. Cash said.

Earlier this week, the group created a process and timeline for the compliance portion of the evaluation. It would require the validation of just 10% of the items on the compliance list, but those items would be selected at random.

The group has also suggested that a number of items be removed from the list, the OCQE's Beth Lear said. Of the 319 items schools were required to verify compliance with, the group found that 15 were not required under law, 12 required sponsors to confirm a negative and 78 were documents to which ODE already has access.

Their recommendations were submitted the same day Superintendent of Public Instruction Paolo DeMaria sent the State Board of Education a memo stating that the agency would revert back to the current rule for the compliance portion of the reviews and continuing working on the new proposal. (See Gongwer Ohio Report, September 1, 2016)

Under those compliance guidelines, ODE would examine whether all rules and laws are being met at just 10% of sponsors' schools as opposed to all of them.

Mr. Cash said that system isn't preferable because sponsors only have to certify that a number of the compliance items are being met.

Allowing sponsors to verify information without a system in place to check for validity puts the state back in the same position it was in when it asked the stakeholder group to make recommendations for a new evaluation process in 2012, he said.

"We wanted to make sure who was performing well and who was not performing well. We wanted tools so we could show we were doing the work we said we were doing," he said, adding that the previous evaluation system simply required sponsors to tell the agency whether they were meeting standards or not.

Mr. Cash said ODE has not responded to the new recommendations or voiced interest in rejoining the conversation.

"They've got to be a partner with us in this work," Mr. Cash said. "They're responsible for the Ohio system of public education and there are 400 charter schools and 120,000 students (that attend them) - that's a significant portion of Ohio's public education system and we need ODE to be partner with us on that so we can keep doing good work."

Ms. Lear said it's also important for ODE to work with sponsors on evaluation system updates because the agency also sponsors a number of charter schools.

"It doesn't really look good for one sponsor to be setting the rules for all sponsors," she said in an interview.

ODE's Brittany Halpin said, "We've received the letter and we always appreciate the input of our stakeholders."

Up next, the group said it plans to offer suggestions for changing the quality and compliance portions of the evaluations following a Sept. 12 meeting.

Mr. Cash said the latest academic portion of the review is concerning because it's centered on report card scores of schools in sponsors' portfolios, despite the fact that sponsors do not have the ability to make curriculum decisions or choose school teachers and leaders.

"All I can do as a sponsor is say, 'You promised you were going to have a school that was going to perform at this level and so far you're not getting there.' I don't have the ability to go ahead make a direct impact on their performance," he said.

House District 16: Cuyahoga Councilman Faces Democratic Operative In Battle For Baker Seat

The race to replace term-limited Rep. Nan Baker (R-Westlake) for a seat in suburban Cleveland pits a Republican veteran of local government against a young native of the area with experience working in state and national politics.

Republican nominee Dave Greenspan, 51, of Westlake, is a member of Cuyahoga County Council who moved to Ohio in 2007 from the Atlanta area. He faces Democrat Tommy Greene, 28, a Bay Village native who is the son of a steelworker and a teacher's aide.

Neither candidate faced a primary challenge in the district, which leans Republican.

Mr. Greenspan touted his experience in local government and his ability to work across the aisle. A native of New Jersey who's lived in a number of states and attended Troy University in Alabama, he served on the inaugural city council in Sandy Springs, Ga., when the city was incorporated in 2005. After moving to the Cleveland area in 2007, he was elected to the first Cuyahoga County Council in 2010.

He immediately focused on ethics, chairing the council's ethics committee, he said.

"Coming into a new government, especially one coming out of such deep-rooted corruption, I felt it was very important that the residents and businesses of Cuyahoga County and Northeast Ohio knew that their government was going to be working for them," he said in an interview.

The married father of three doesn't just start up local governments. He has an accounting degree and has spent much of his career as a chief financial officer for a number of companies, mostly startup ventures. He's also been the chief operating officer for the PGA Tour radio network.

He now runs a small business, Green Elk Consulting Services, which provides financial and other advice to startup and turnaround businesses.

Mr. Greene is a graduate of Ohio University who has worked for Equality Ohio and interned for Sen. Sherrod Brown (D-Avon). He now works in business development for North Water Partners, a company in the Ohio City area of Cleveland.

The Democrat grew up in Westlake and Bay Village. He said part of the reason he became interested in politics was because his father lost his job when the steel mill where he worked closed in 2001. Following that, his father took him to a rally that included Sen. Brown and former U.S. Rep. Dennis Kucinich.

"That's when I realized that when families are going through a hard time, they turn to their elected officials not for a handout or for them to answer all of their problems, but to be standing with them when things are going wrong and to be able to provide solutions to make the families a little bit stronger in the future," Mr. Greene said in an interview.

Families, through jobs and education policy, will be a focus for Mr. Greene.

"I kind of view my role as being able to strengthen Ohio's families," he said. "There's a handful of ways we can do that," including more oversight of charter schools. Education funding, particularly for public schools, will be a priority, he said.

He also said he wanted to see more infrastructure development, including pushes for Ohio to develop more clean energy products. Toledo could build more solar panels, for example, he said.

"We have a proud manufacturing history and Ohio has to be a place where we build things," he said. "We can't just be a 100% service sector economy. We have to be a manufacturing state in Ohio."

Mr. Greenspan said he has focused on a wide variety of issues during his time in public office, and believes a comprehensive approach is important. Education and drug problems are both tied to jobs.

A priority for the state, he said, is to develop a workforce of people who are able to do jobs and pass drug tests.

"We have to continue to develop what I refer to as a competent workforce. I think we all can agree that the state is continuing to move the needle in a positive direction toward workforce development," he said, but the work needs to continue.

He said he wants to see a "holistic, total" approach to the economy, one that includes focusing on education to produce good workers, luring in a wide variety of industries, and matching qualified workers with open positions.

"If you look at it in its totality, if you look at it as one big direction to move our state, it's my belief that all of those issues move us in a positive direction," he said.

"Unless you've lived this, unless you've served at the city level, unless you've served at the county level, it's hard to understand how these issues come together," he said.

Mr. Greene, who is openly gay, said nondiscrimination is also an economic development issue. When he worked for Equality Ohio, he said, one of his duties was to talk to executives about the need for nondiscrimination laws in order to recruit talented workers from other parts of the country.

"If Ohio is going to be open for business, we need to be open for talent," he said.

Mr. Greene said his campaign team has been organized and working in the community to spread his message.

"I'm out there every day talking to voters about how we're going to move our state forward," he said.

"I believe regular working families need an advocate in Columbus," he added.

Mr. Greenspan said he believes his experience as an elected official - particularly in a county council district that spans the same cities as the legislative district - sets him apart. He said he is also stressing his willingness to work across the aisle to get things done.

"We have to be able to all work together, collectively, to create the environment in our state to move in the right direction," he said.

His campaign has knocked on more than 27,000 doors already, he said.

"I've represented this district for nearly six years. I believe that I understand the opportunities and the challenges of the district," he said.

Buckeye Institute Calls For More Union Decertification Votes, Policy Matters Ohio Urges Lawmakers To Promote Unionization

In the wake of the Labor Day holiday, two groups offered competing visions on how to improve the lives of working Ohioans.

In a report released by the Buckeye Institute, the group proposed that Ohio lawmakers make it easier for state and local government employees to decertify their unions. Policy Matters Ohio, meanwhile, released a report calling for lawmakers to make it easier to join and form unions.

According to the Buckeye Institute's report, "One Man, One Vote, One Time? Re-election Votes Hold Unions Accountable to Their Members," there are more than 3,100 bargaining units covering about 300,000 state and local government employees across Ohio. However, most of those employees have had no say in their representation, it said.

"Ohio makes it very difficult for workers to have a voice in their unions," Robert Alt, Buckeye's president and CEO, said in a statement. "Under current law, the ability for union workers to hold an election is far more cumbersome than how we conduct our elections for public officials. And elections keep people accountable."

In the past three years, just 14 validly submitted decertification petitions have been submitted to the Employment Relations Board. Unions prevailed in three of those re-election efforts, the report found.

The report, however, said the decertification process is a cumbersome one, providing a 30-day window in which 50% of government employees in a bargaining unit need to sign a petition to trigger a vote.

"Just as voters hold their public officials accountable so, too, should workers be able to call for better representation," Rea Hederman Jr., executive vice president of The Buckeye Institute, said. "Ohio should follow the lead of other states by requiring their government unions to regularly stand for re-election, which will only improve their responsiveness to member needs."

The report goes on to list several complaints unionized employees have with their bargaining units, including dues spent on political activities, leaders' salaries and "insufficient" leadership elections.

"Union members should have the freedom to regularly decide whether to remain unionized. Such re-election votes would make unions more accountable to their members," the report concludes. "They would force union leaders to serve their members' interests instead of pursuing their own priorities. Workers deserve the ability to hold their union regularly accountable. Meaningful representation does not mean one man, one vote, one time."

But in its report, "Still struggling: State of Working Ohio 2016," Policy Matters Ohio says lawmakers should be promoting unionization.

Unionized workers in Ohio made about \$4 more per hour than their non-unionized counterparts in 2015, according to the report.

"Unions improve wages but Ohio's legislators and governor have often taken steps to weaken unions and reduce the number of workers who can get the protection, training and compensation benefits that come with being a member of a labor union. In order to broaden unionization in Ohio, the state should reject the misnamed 'right-to-work' initiative - states that take this approach end up with lower wages," the report reads

"Ohio should also allow home health workers and childcare workers to become part of a union - two particularly important and low-wage occupations that were once promised the right to organize into unions. For both groups, Gov. Kasich has eliminated the right to join a union and bargain collectively."

The report goes on to state that unions can reduce inequality for black and female workers. It found that black unionized workers make \$4.31 more per hour than their non-unionized counterparts while women in unions make \$3.91 more per hour.

"Ensuring that more workers can join unions will better spread the benefits of unionization," the report states.

State Board Looking To Help 2,000 Displaced Ohio ITT Students

ITT Technical Institute's parent company announced Tuesday it is pulling the plug on its 137 campuses across the country, officially displacing about 2,000 Ohio students and an unknown number of employees.

Left to help fill in the gap is the Ohio State Board of Career Colleges and Schools, which is stepping in to ensure displaced students aren't left behind by the closure of the Indiana-based company that served nearly 45,000 students in 38 states.

"This is going to be a difficult process I'm sure, but we'll continue to work with the students," Board Executive Director John Ware said in an interview.

The closure had been expected ever since the federal government late last month unveiled an array of penalties, including banning the school from enrolling students with federal financial aid, after the school was found to be out of compliance with accreditation criteria.

The company on Tuesday confirmed that after assessing its options, the sanctions were deemed a death knell.

"It is with profound regret that we must report that ITT Educational Services, Inc. will discontinue academic operations at all of its ITT Technical Institutes permanently after approximately 50 years of continuous service," the company announced in a press release.

"With what we believe is a complete disregard by the U.S. Department of Education for due process to the company, hundreds of thousands of current students and alumni and more than 8,000 employees will be negatively affected."

As of Tuesday, the company had already eliminated the "overwhelming majority" of its employees and said remaining staff members are prioritizing helping displaced students determine their options.

The state board has been working on contingency plans for the students enrolled at ITT's nine Ohio campuses since the August penalties were announced, Mr. Ware said. The fact that those campuses are spread out across all corners of the state poses a particular challenge, he added.

He said the board has been working to enlist other schools for teach-out agreements in which case the school would agree to accept displaced students' ITT credits and any related financial aid. The board will be emailing a list of those schools to students this week, he said.

"Sometimes it depends on how far along in their program they are and what program they are in so we'll have to figure that out for each student - what they need to do," he said.

Alternately, he said, the board will work to connect students unable to continue their program elsewhere with the U.S. Department of Education where they could receive a loan discharge.

"We'll work with ITT to make sure students have access to their transcripts and records and anything like that the students would need going forward," Mr. Ware said. "We've already had communication about this and I know ITT was going to send an email with some of this information out to their students sometime today."

ITT's closure is the latest result of a crackdown of the federal government on for-profit colleges, although Mr. Ware said most previous closures "have been more orderly than this."

"It's been a painful process," he said.

Among the penalties levied against ITT was a requirement the company increase its existing surety from \$94 million to more than \$240 million - or 40% of all Title IV aid the school received in 2015 payable in full. The company pointed to that stipulation specifically as to why it is unable to continue operations.

"We believe the government's action was inappropriate and unconstitutional, however, with the ITT Technical Institutes ceasing operations, it will now likely rest on other parties to understand these reprehensible actions and to take action to attempt to prevent this from happening again," the company said.

In a message to ITT students, U.S. Education Secretary John King acknowledged the news will have a "deeply personal" impact on affected students and, vowing to support students as they work through their options, encouraged students to not give up on their education.

Ohio Sees Drop In Obesity Rate, But Trends Show Continued Rise In Diabetes, Hypertension, Report Says

Ohio was one of four states that saw its obesity rate fall in 2015, according to a report from the Trust for America's Health and the Robert Wood Johnson Foundation.

The Buckeye State ranked 26th in the U.S. with an adult obesity rate of 29.8%. That's down from 32.6% a year earlier.

Although Ohio saw a drop year-over-year, the rate was still well above what it was a decade earlier, when 24.9% of Ohio adults suffered from obesity, according to the report. In 1995, the rate was 16.1%.

The drop in Ohio and three other states - Minnesota, Montana and New York - was the first time in the last decade that any states experienced decreases except for Washington, D.C., in 2010.

Louisiana had the highest rate of obesity at 36.2%, while Colorado had the lowest at 20.2%.

Ohio had the 14th highest rate of obesity among children ages 10-17, at 17.4%, and was 35th in obesity for children ages 2-4 from low-income families, with 12.4%.

The report also cited a number of obesity-related health issues. Ohio was 17th in adult diabetes, with 11% of adults suffering from the disease. That number was down from a year before, but the overall trend remains upward - Ohio is expected to go from just over 1 million cases of diabetes in 2010 to nearly 1.6 million in 2030 at its current pace.

Even more Ohio adults suffer from hypertension. Ohio was 13th in that category, with 34.3% of adults having the condition. The number of cases is expected to rise from 2.3 million in 2010 to nearly 3.1 million in 2030 at its current pace.

Cases of heart disease and obesity-related cancer are both expected to rise dramatically over the next two decades, the report said, while arthritis cases are likely to decrease.

The State Health Assessment cited obesity among the chronic conditions that pose serious health risks to the state. That report cited links between obesity and other chronic conditions, and noted the racial and geographic disparities among them. (See Gongwer Ohio Report, August 22, 2016)

The SHA found obesity to be a problem cited by public health experts in all areas of the state and among a wide variety of different groups. The report cited nutrition and physical activity as possible contributing factors and opportunities for improvement.

"Although Ohio's high prevalence of obesity and diabetes indicate that much more progress is needed on physical activity, this assessment finds that Ohio has some strengths in this area," the SHA said. "First, the percent of Ohio adults reporting no leisure-time physical activity declined from 2013 to 2014 and met the Healthy People 2020 target. Second, regional forum participants in most areas of the state identified their active living environments as a characteristic that made them proud of their

community, and all regions identified a positive active living environment as one of the most important characteristics of a healthy county or region."

The Trust for America's Health report on obesity also found racial disparities in obesity. Among white Ohioans, the rate of obesity was 30.5%, while it was 37.1% among black Ohioans.

The gap was narrow between men and women, with 30.5% of men and 29.7% of women. For different age groups, it was wider, with the obesity rate among Ohioans 45-64 at 36.3%, compared to 29% for those 65 and older, 27.9% for those 26 to 44 and 17.8% for those 18-25.

Dana Schmersal, a spokeswoman for Voices for Ohio's Children, said policymakers should continue to work on programs to improve childhood nutrition.

"We are very glad to see the downward trend for childhood obesity rates in Ohio," she said in an email. "Child nutrition, however, remains a key issue across the state as both obesity and food insecurity impact far too many Ohio families, leaving our state to face the expensive cognitive, behavioral, educational, economic and health consequences that follow. Of course, it is not enough to make food more accessible and nutritious - we must work with schools, child care providers, and communities to ensure that meals are consistent with a healthier lifestyle supported by comprehensive health and physical education inside and outside of the classroom."

Trump, Clinton Spend Holiday Campaigning In Ohio

GOP nominee Donald Trump and Democratic nominee Hillary Clinton ventured back to the Buckeye State Monday as they continued to court voters.

Ms. Clinton spoke at a Cleveland rally, where she and vice presidential candidate Tim Kaine stressed the importance of the state in the electoral landscape.

"You're used to this," Sen. Kaine told Ohio voters, saying the election has entered the "home stretch."

"You're used to the fact that you're one of the two or three most important states in any presidential election going back since there were presidential elections," he said.

In her remarks to the crowd, Ms. Clinton again questioned Mr. Trump's suitability for the office of president. She also touted a newly announced book, written by herself and Sen. Kaine, called "Stronger Together" that will showcase their plan for the future.

"We are stronger together, and that is in stark contrast to Donald Trump," she said. "When he says, 'I alone can fix it,' he doesn't understand how America works."

Mr. Trump that same day participated in a labor roundtable Monday at a Brook Park American Legion post. Media access was limited at the event, which was only first announced that morning.

"I was happy to show Mr. Trump first-hand some of the challenges that we have faced in Northeast Ohio, with local plants shutting down and jobs leaving for overseas," Brook Park Mayor Tom Coyne said in a statement released by the campaign. "Mr. Trump speaks our language, I think he's more comfortable talking to labor and working class people than he is talking to bankers, and it shows."

Mr. Trump then attended the Canfield Fair, while at the same time Clinton surrogates launched attacks seeking to undermine Mr. Trump's attempt to draw blue-collar support.

"Hillary Clinton knows that America is already great because of your hard work, because of your values, your integrity," AFL-CIO President Richard Trumka told those at the fair. "She knows that our economy is strongest when we can band together and negotiate for better wages, better benefits and better working conditions. She wants to rewrite the rules of the economy so that working people win and not just billionaires, like Donald Trump, win."

The Clinton campaign on Tuesday evening is scheduled to open its latest organizing office, this one in Delaware County. The campaign has launched more than three dozen such offices across the state.

Mr. Trump, meanwhile, rated two points above Ms. Clinton in a Tuesday national poll from CNN/ORC. Mr. Trump earned 45% to Ms. Clinton's 43%, putting the pair at a statistical tie when accounting for the margin of error.

Libertarian Gary Johnson and Green Party candidate Jill Stein earned 7% and 2% respectively in that survey.

Democratic PAC Cancels \$3M More In Strickland Ads; Nicklaus Backs Portman

A national super PAC has canceled \$3 million worth of additional ads it planned to air supporting U.S. Senate candidate Ted Strickland.

The Senate Majority PAC announced the additional cuts Tuesday - the second such reduction the group has made in the last month. A spokesman said the group was seeking to "maximize resources."

The group had already scrapped ads set for later this month. But the additional cuts for ads previously set to air between Sept. 20-Oct. 10 mean the PAC will have no pro-Strickland advertising on Ohio airwaves until October at the earliest.

Strickland campaign spokesman David Bergstein in a statement downplayed the move, which is seen as the latest sign of Mr. Strickland losing ground to his opponent U.S. Sen. Rob Portman, saying "there's still a lot of race left to run."

"We just recently launched our paid media campaign, the national environment is rapidly deteriorating around Portman, he's facing a daily firestorm about his continued support for Trump - and Portman's small, weak field operation can't compete with the Ohio Democratic Party's coordinated field campaign which has hundreds of organizers and volunteers across the state working to elect Ted, Secretary Clinton and Democrats at every level," Mr. Bergstein said.

"Ted's going to do what he does best: campaign vigorously across Ohio, talking about the central contrast in this race - he's fighting for working people because that where he comes from and that's who he cares about, while Senator Portman is looking out for his rich and powerful friends," he continued.

The PAC had already cancelled about \$191,000 worth of ads previously intended to run between Sept. 6-19. At the same time, the Democratic Senatorial Campaign Committee announced it was pushing back the launch of its own ads by one week, cancelling about \$500,000 in reserved airtime in September and moving that money to support the campaign's own advertising. (See Gongwer Ohio Report, August 30, 2016)

The network run by brothers and GOP donors Charles and David Koch then announced they had cancelled pro-Portman ads to the tune of \$2.1 million. (See Gongwer Ohio Report, August 31, 2016)

The Ohio Democratic Party and U.S. Rep. Tim Ryan (D-Niles) came to the former governor's defense Tuesday at a press conference blasting Sen. Portman for "turning his back" on the auto industry.

"It's the central contrast in this race: Ted is fighting for Ohio's working families, while Sen. Portman is pushing the agenda of his rich and powerful friends in Washington," Rep. Ryan said. "We need someone who represents our values. It's pretty simple - working families need Ted Strickland in the U.S. Senate."

Mr. Strickland did land the endorsement of the Sierra Club Tuesday, which in turn drew the ire of the Ohio Coal Association which released a statement criticizing Mr. Strickland's stance on coal.

Sen. Portman, meanwhile, enlisted the help of famed golfer Jack Nicklaus with a new ad that is part of a \$15 million ad campaign that has already begun to air.

"Rob is the real deal, he's making a difference in standing up for American manufacturing, and he's fighting to strengthen our military to keep us safe. Rob Portman is Ohio's champion," Mr. Nicklaus says in the ad.

The Portman campaign used the Ohio State University football opener Saturday and a related Snapchat filter to expand its outreach to students and fans.

"We are proud to work with our impressive Students for Portman group, which is organized on more than 30 campuses and has helped us contact more than 3.5 million targeted voters," Portman campaign spokeswoman Michawn Rich said. "The coalition is helping ensure Rob's message of pro-growth policies for better wages and more jobs reaches students across Ohio during this campaign."

From Congress: Brown, Portman Praise Trade Ruling On Steel; Kaptur Welcomes \$2M In Housing Funds; Latta Tours OSU Radio Optics Lab...

Ohio's U.S. senators praised a recent International Trade Commission finding that the country's steel industry has been hurt by cold-rolled steel imports from other countries.

The ITC determined imports from Brazil, India, South Korea and the United Kingdom have all played a role in harming the industry, but stopped short of listing Russia as having engaged in unfair trade practices.

U.S. Sen. Rob Portman (R-Terrace Park) and U.S. Sen. Sherrod Brown (D-Avon) both welcomed the ITC's determination, with Sen. Portman in a statement calling the situation facing Ohio's steelworkers a "crisis."

"Nearly 1,500 Ohio steelworkers were laid off last year through no fault of their own," Sen. Portman said. "Today the ITC recognized exactly what I told them: that unfair, dishonest practices from competitors in these countries are hurting our communities. Our work is far from over, but today's ruling is another step in leveling the playing field, and it is another win for Ohio steelworkers."

Sen. Brown said unfair trade practices are threatening the stability of that and other industries. He had previously advocated that Russia be included in the ITC investigation.

"When other countries don't play by the rules, the U.S. government must take action to protect American manufacturers," Sen. Brown said. "It's disappointing that the ITC did not recognize Russia's unfair trade practices, but the enforcement of antidumping and countervailing duties on cold-rolled steel imports from Brazil, India, South Korea, and the United Kingdom is a good step forward in providing the steel industry with the relief it needs."

In other trade news, Sen. Portman last week criticized the European Union's ruling that Apple owes \$14 billion in back taxes, saying the ruling highlights the need for international tax reform.

"Retroactive taxes not based in the rule of law are an attack on all U.S. companies doing business globally," the senator said. "The Commission is blatantly attempting to take advantage of the antiquated U.S. international tax system, and at the end of the day, it's

U.S. taxpayers footing the bill. This decision is another indicator of the urgent need for international tax reform."

Housing: U.S. Rep. Marcy Kaptur (D-Toledo) applauded the recent award of more than \$2.1 million toward Cuyahoga County homeless veteran support.

The Department of Veterans Affairs announced the award to Cleveland-based Frontline Service to support "Operation Cleveland Home Front," a program that provides transitional housing to veterans and their families.

"No one who has served our country with dignity and honor should face the indignity of being without adequate shelter," Rep. Kaptur said, adding that the program "offers veterans and their families a helping hand through transitional, temporary housing, a chance that offers hope and the prospects of a second chance to make a better life for themselves and their families. These brave men and women served our country, and this support program is our service in return."

Technology: U.S. Rep. Bob Latta (R-Bowling Green) praised Ohio State University's ElectroScience Lab during a recent tour of the facility. The lab is one of the largest radio frequency optics research laboratories in the world.

"The work they are doing at the ElectroScience Lab is pushing the limits in advancing technology," Rep. Latta said. "The research that is being conducted will pay countless dividends in the wireless communication and radio frequency fields."

Piketon: Sens. Brown and Portman continue their efforts to secure funding for the ongoing cleanup of the Portsmouth Gaseous Diffusion Plant.

The two earlier this month asked Senate appropriators to include funding for the project in any short-term continuing resolution considered by the upper chamber. Continued funding for the effort, they said, is in jeopardy because the 2017 Energy and Water Appropriations bill passed by the Senate, which includes the funding, has not yet received House action.

"Portsmouth's D&D efforts are an integral part of the Department of Energy's commitment to the people of southern Ohio," the pair wrote to the Senate Appropriations Committee. "Continued operations at the present level are an essential part of that commitment."

Backpage: Sen. Portman chalked up another victory in lawmakers' ongoing legal proceedings against Backpage.com.

Sen. Portman and Sen. Claire McCaskill (D-Mo.) as leaders of the Senate Permanent Subcommittee on Investigations have long been focused on an uncooperative Backpage in their attempt to determine the website's role in facilitating sex trafficking.

In the latest development, the D.C. Circuit Court denied Backpage's request for a stay, meaning the company must now turn over all documents that have been subpoenaed to the committee within 10 days.

"Today's ruling is a major step forward in our efforts to stop the scourge of online human trafficking and stand up for its thousands of innocent victims across the United States," Sen. Portman said. "With this decision, we look forward to examining the subpoenaed documents that Backpage has withheld. We are committed to continuing our bipartisan investigation and ensuring that our laws effectively protect the most vulnerable from sex traffickers and businesses that aid them."

Coal: Sen. Brown welcomed more than \$1 million in federal relief funding to Ohio miners and their families that have experienced layoffs.

The Department of Labor announced the funding to the Ohio Department of Job and Family Services this month to fund reemployment efforts for those workers. The award brings Ohio's total federal funding to \$2 million, including a \$916,250 grant from 2015.

"The changing coal economy has put some workers out of a job through no fault of their own," Sen. Brown said. "This grant will give Ohio the tools to continue its support for displaced workers and help them get back on their feet."

Drugs: Sen. Portman joined Walgreens workers as they unveiled 18 drug take-back kiosks for their Ohio stores.

In a Toledo press conference, the lawmaker voiced his support for the effort announced in February, which will culminate in the kiosks being placed in 500 of the chain's stores across the country.

"Addiction to prescription painkillers has reached epidemic levels in Ohio and across the country," Sen. Portman said. "Fighting back against this epidemic will require all of us working together at the federal, state, and local community level."

Women's Summit: Sen. Brown announced the second annual Women's Leadership Summit will take place at 9 a.m. Saturday at the Global Center for Health Innovation in Cleveland. For more information and a list of speakers visit the event's website.

"Ohio women are achieving remarkable things, and we must build on their success so all women can have an opportunity to succeed," Sen. Brown said. "The Women's Leadership Summit aims to celebrate the accomplishments of women and highlight strategies for overcoming obstacles to success."

Court Briefs: Court Rules Meigs County Charter Proposal Should Move Forward; Man Injured At Basketball Game Loses Case; Attorneys Reprimanded...

Voters in Meigs County could soon have the opportunity to change their form of government.

The Ohio Supreme Court on Tuesday ruled that the county's board of commissioners erred by not approving a resolution to place a charter amendment on the ballot in 2015.

The 4-3 per curiam decision reverses a Fourth District Court of Appeals ruling.

The commissioners received a letter from the board of elections on July 2, 2015 stating that a petition filed by Meigs County Home Rule Committee had a sufficient number of valid signatures to be placed on the November ballot, the court reported.

However, the commissioners in a July 9 letter back to the board said the July 2 letter was incomplete and lacked certain information. In a special meeting on July 14, the commissioners failed to certify the issue for the ballot because they said the board of elections failed to meet the deadline to submit a report at least 120 days prior to the election.

"But even if the first letter were insufficient, when the board of elections ultimately certifies the validity of a petition and the delay was not the fault of the initiative's supporters, a writ of mandamus will issue to place the matter on the ballot. Any other result would be unfair and thwart the constitutional right of initiative," the court wrote in its decision.

Citing a 2015 case in which Secretary of State Jon Husted invalidated a county charter initiative on the grounds that the proponents did not propose a form of county government, the commissioners argued that committee also failed to propose a form of county government.

However, the court found that is a determination for Secretary Husted to make.

"We will not intrude into the process before the secretary has had a chance to exercise his discretion," the majority wrote.

Chief Justice Maureen O'Connor and Justices Judith Ann Lanzinger, Judith French and Bill O'Neill constituted the majority.

Justices Paul Pfeiffer and Sharon Kennedy joined a dissenting opinion in which Justice Terrence O'Donnell sided with the appellate court.

Injury: A man who was injured as he attempted to sit in a seat that broke and dropped to the ground at a University of Akron basketball game will receive no financial compensation, the Court of Claims ruled.

The court found that Raymond Williams failed to prove that the university did not exercise ordinary or reasonable care and denied his claim for \$10,000 in damages.

Mr. Williams claimed the fall resulted in more than \$5,000 in medical bills, the Ohio Supreme Court reported.

However, a university investigation found that Mr. Williams told a responding usher and supervisor that he did not fall because he caught himself as the chair broke and that he declined medical attention at the time.

Reprimands: The Ohio Supreme Court has issued three public reprimands:

- Justin E. Fernandez of Cincinnati for allegedly neglecting a client's legal matter and the improper use of an out-of-state company to provide paralegal and paraprofessional services.
- Steven B. Beranek of Medina for allegedly failing to inform his clients that he did not have professional liability coverage.
- Patrick L. Clifton of Crestview Hills, Kentucky for allegedly violating the rule that prohibits a lawyer from knowingly making a false statement to a tribunal and engaging in conduct involving dishonesty, fraud, deceit or misrepresentation.

Conviction: The Bureau of Workers' Compensation announced the conviction of a man a Toledo man who used a fake identity to collect benefits.

David Abitua, 51, pleaded guilty Aug. 18 in Franklin County Common Pleas Court to one fifth-degree felony count of workers' compensation fraud, according to BWC.

"If you try to cheat the workers' compensation system, even while hiding under a false identity, we will find you and prosecute you to the fullest extent of the law," Sarah Morrison, Administrator/CEO for the BWC, said in a statement. "Workers' compensation fraud raises costs for everyone in the system and diverts resources needed for injured workers and making Ohio workplaces safer."

Using a false Social Security number and the alias of Jose L. Vasquez, Mr. Abitua collected injured workers' benefits from November 2009 until October 2012.

Supplemental Agency Calendar

Thursday, September 8

Broadcast Educational Media Commission, 2470 North Star Road, Columbus, 10 a.m.

Children's Trust Fund, 77 South High Street, 13th Floor East Conference Room, Columbus, 10 a.m.

Supplemental Event Planner

Wednesday, September 7

House Democrats legislative agenda news conference, West Steps, Statehouse, Columbus, 11 a.m.

Release of August casino revenue figures, 1:30 p.m.

Sunday, September 11

Rep. Kyle Koehler (R-Springfield) fundraiser, Echo Ridge Farm, 4674 Hominy Ridge Rd., Springfield, 2 p.m., (Sponsor: \$1,000; Host: \$500; Partner: \$350 to Citizens to Elect Kyle Koehler)

Thursday, September 29

Sen. Bill Coley (R-Liberty Twp.) fundraiser, Keller residence, 8325 Princeton Road, Liberty Twp., 6 p.m., (\$1,000 Event Host | \$500 Event Chair | \$250 Event Sponsor | \$100 Individual to Friends of Bill Coley)

Monday, October 10

Sen. Peggy Lehner (R-Kettering) fundraiser, K-12 Gallery and TEJAS, 341 S Jefferson St., Dayton, 5 p.m., (Special Guest: Sen. Obhof. \$2,500 Michelangelo Sponsor | \$1,000 Van Gogh Sponsor | \$500 Picasso Sponsor | \$150 per Couple | \$100 per Individual to Citizens for Lehner)

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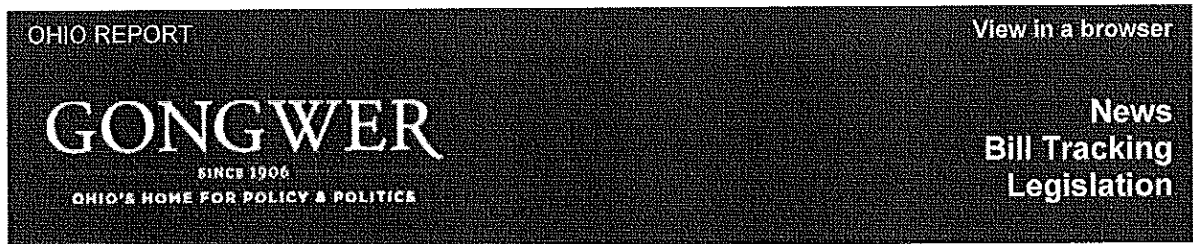
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Nov23Schedule.htm



OHIO REPORT TUESDAY, NOVEMBER 22

**Senate Hears Mixed Review Of Energy Freeze Bill; Early December
Committee Vote Eyed**

Senate Panel Takes Up Ignition Interlock Device Measure

Proponents Urge Senate Support For Ohio EPA Updates

Committee Chair Raises Concerns About Insurance Bill

Medical Board Closes Investigation Into Dayton Abortion Clinic

**Buckeye Institute Touts Charity Care; OSMA Launches Opioid Campaign;
Innovation Ohio Eyes Food Insecurity**

**Farmers Union Prices Thanksgiving Dinner; AG Warns On Holiday
Shopping Scams; DSW Sales Up**

Governor's Appointment

Attorney General's Opinion

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Volume #85, Report #225 -- Tuesday, November 22, 2016

Senate Hears Mixed Review Of Energy Freeze Bill; Early December Committee Vote Eyed

The state's top consumer utility advocate told a Senate panel Tuesday the renewable energy and energy efficiency benchmarks in a Senate bill are "reasonable."

But Ohio Consumers' Counsel Bruce Weston said in testimony before the Senate Energy & Natural Resources Committee that he still has plenty of concerns with the proposal (SB 320).

Mr. Weston's was one of a trio of witnesses on both sides of the issue to appear before the committee during the bill's third hearing.

Questioned by Chairman Sen. Troy Balderson (R-Zanesville), Mr. Weston said that a 12.5% renewable energy benchmark for 2029 and beyond was reasonable in his view. As for the 17% benchmark for energy efficiency - which was reduced from the bill's earlier 22% - Mr. Weston said that number is on the lower end of "something I could accept as reasonable."

Sen. Balderson said in an interview he has no intention of holding a vote on the issue next week considering the holiday and the short notice interested parties received about Tuesday's hearing.

"We'll have some more hearings," Sen. Balderson said. "We want to give everyone adequate time. We'd like to have at least something by the first of December that we can vote on."

Several amendments have been drafted behind the scenes, although it's unclear if and when they'll be introduced for consideration. Sponsor Sen. Bill Seitz said he is unsure whether he will introduce any of his prepared amendments next week.

"I think there are a couple things we could tweak along the way, but, yes, I do feel good about it," Sen. Balderson said of the status of the bill. "And I know one amendment might be the mercantile opt out. It's in there right now (to start) in 2019, but 2017 was talked about last week in committee."

Outlining his concerns with the bill, Mr. Weston urged the committee to: preclude utilities from charging consumers for shared savings that are not a direct result of utility programs or that are unrelated to electricity sales; add language to protect consumers from bearing any cost associated with the mercantile opt-out program, and; prohibit consideration of renewables and energy efficiency in cases other than those intended for implementing the energy standards.

Responding to a question from Sen. Seitz, Mr. Weston floated the idea of a 3% cost cap for consumers. He also argued for requiring utilities to use competitive bidding when retaining providers or vendors when implementing their energy efficiency programs.

He further advised against any attempts to add language permitting electricity rate hikes if a utility's financial integrity is at risk.

"If such a change in the law is to be considered by the legislature, it should be done in a standalone bill with a full public hearing process and not rushed in this limited post-election session," Mr. Weston said.

Brakey Energy President Matt Brakey was the only proponent to testify during this week's hearing. He said the company fully supports the mercantile customer opt-out and would even urge the provision to be enacted sooner.

The bill as written would expand opt-out eligibility to businesses consuming more than 700,000 kilowatt hours per year - a move opponents say is premature considering the existing opt-out doesn't begin until 2017. (See Gongwer Ohio Report, November 17, 2016)

Even if the opt-out timeline isn't advanced, Mr. Brakey said, lawmakers should act fast in reaching a resolution before the ongoing freeze on energy standards expires at year's end.

"Because of the cycle time of the electric distribution utilities, delaying commonsense reforms will require the utilities to launch another expensive, multi-year installment toward compliance that will be passed onto Ohio's residential, commercial, industrial, and institutional customers," he said. "This is an outcome Ohioans cannot afford."

Environmental Law and Policy Center Senior Attorney Rob Kelter said the group opposes the bill's removal of compliance mechanisms for the first three years.

Opponents argue such language waters down the state's approach to renewables while proponents say it buys the state more time pending the legal resolution of the Clean Power Plan.

"The utilities recover both their costs and lost revenues related to energy efficiency so they are held harmless. On top of that they share the savings they generate for customers through shared savings mechanisms that all the utilities have achieved," Mr. Kelter said. "Some utilities have earned bonuses as high as \$20 million per year from running the programs. Making the standards voluntary sends the wrong signal regarding the importance of the standards and the need to meet the targets."

Mr. Kelter said the group also opposes both the lowering of the energy efficiency benchmark to 17% and the potential expansion of the mercantile opt-out program.

"Somehow, listening to the testimony and comments from proponents, one would think

Ohio is about to become California," Mr. Kelter said. "We are only looking for a very reasonable and doable level of efficiency and renewables that will benefit all Ohioans through both cleaner air and lower bills."

Alan Rosenfield submitted written opponent testimony on behalf of the League of Women Voters of Ohio, saying that the bill "continues bad policy by refusing to require a reasonable percentage of energy come from renewable sources."

"We reject the idea that SB320 lifts the two-year freeze imposed on renewable energy requirements," he wrote. "We urge that the current language of O.R.C. 4928-64 be retained and oppose any changes in that section that are included in SB320."

Senate Panel Takes Up Ignition Interlock Device Measure

First-time OVI offenders could have the opportunity to be granted unlimited driving privileges, with a catch, under a House bill reviewed in the Senate Tuesday.

The legislation (HB 388) sponsored by Rep. Gary Scherer (R-Circleville) would allow first-time offenders to petition the court for unlimited driving privileges with an Ignition Interlock Device during the offender's driver's license suspension.

"Our current laws contain an ineffective system of limited driving privileges. The offender first has a period of 15 days where he or she cannot drive at all. Then he or she can obtain limited driving privileges from the judge and may be granted access to any occupational, educational, vocational, or medical destinations as well as commercial licensing exams and court mandated appearances during certain times of the day," he told members of the Senate Insurance Committee Tuesday.

"Second-time offenders are required to use a certified Ignition Interlock Device (IID) if restricted driving has been permitted. Second time offenders are also required to employ yellow license plates on their vehicles. The second offense provisions all too often give rise to plea bargains to reduce the overall punishment."

The legislation, dubbed "Annie's Law," also lengthens the first-time minimum suspension from six months to 12 months. However, that suspension can be cut in half if a court grants a request to use an IID.

In addition, the measure would also require a first-time offender to obtain a restricted license indicating the use of an IID is required.

"It is important to note that this language is permissive: the offender is not required to request the use of the device, nor is the judge required to allow the use of the device. The IID petition can only be granted at the time of conviction, not at the time of the arraignment. There is no change to current law for the time from arrest to conviction," Rep. Scherer said.

Yet another provision of the bill would extend the look-back period for OVI offenses from six to 10 years.

Sen. Edna Brown (D-Toledo) questioned the rationale behind that provision.

Rep. Scherer said it was requested by municipal court judges who believe the six-year window is not long enough.

In researching the legislation, Rep. Scherer told the panel that he voluntarily installed an IID in his own vehicle and sought to allay some of the misconceptions about the device, including the belief that an impaired driver could have a child blow into it to allow a vehicle to be started.

"It's not that simple to use," he said. "It does require a velocity of air going through the device, and a sustained velocity."

Chairman Sen. Jay Hottinger (R-Newark) asked if the devices require a driver to do anything while operating a vehicle.

Rep. Scherer said that some do require a "rolling retest," which he was initially opposed to until he learned that 28 states with similar laws also mandate continued testing after the initial one to allow the vehicle to start.

"It is not a significant burden," he said. "You can always pull over to the side of the road to do it. I found that once I got used to it, I didn't need to pull over to do it."

The bill is named after Annie Rooney, who was killed by a drunken driver in 2013.

"The woman who hit Annie that fateful day had at least three misdemeanor charges of operating a vehicle while impaired filed against her. Since her death, Annie's family has worked with Mothers Against Drunk Driving and others in their cause to reduce the number of casualties to this horrible tragedy that occurs far too often," Rep. Scherer said.

The bill has been in the works for three years and currently has no known opposition, Rep. Scherer told the panel.

The measure cleared the House in an 84-5 vote in May. (See Gongwer Ohio Report, May 18, 2016)

Proponents Urge Senate Support For Ohio EPA Updates

More than a dozen proponents testified or submitted written testimony to the Senate Energy & Natural Resources Committee Tuesday on the governor's second OEPA-themed mid-biennium review bill.

During the bill's (SB 333) second hearing before the committee, lawmakers asked no questions as witnesses touted what they perceive as the bill's merits.

By and large, the group said the bill would install much-needed oversight over construction and demolition debris processing plants, refocus the mission of the Lake Erie Commission, and permit the Ohio Environmental Protection Agency's director to waive, transfer or revoke a 401 water quality certification. (See Gongwer Ohio Report, May 18, 2016)

Ohio Environmental Council Deputy Director Jack Shaner thanked the OEPA for participating in stakeholder meetings to gather feedback, saying the group is "confident that constructive compromise amendments will emerge."

That's because the group, which supports the bill, still has two areas of concern, Mr. Shaner said.

One provision worth revisiting, he said, is language that makes substantive changes to the makeup, authority and duties of the Lake Erie Commission. The bill's intent is to refocus the commission on helping the state meet its obligations under the Great Lakes Water Quality Agreement.

"It remains unclear how and to what extent the commission will 'ensure the...implementation of federal, state and local policies, programs and issues,'" Mr. Shaner said, recommending instead the language be changed so the commission can ensure coordination of "the funding, implementation, and monitoring" of those areas.

The group also requested a change in language enabling the OEPA director to grant 401 waivers, which proponents say will speed up projects already approved by the U.S. Army Corps of Engineers.

OEC argues the waiver should be considered a final appealable order and should not be issued within 90 days of the agency's receipt of a complete application to allow actual agency review. Further, the group said the director should be required to include written justification for granting the waiver.

Cuyahoga County Solid Waste District Executive Director Diane Bickett testified the bill would address "serious problems" stemming from unregulated C&DD processing facilities in the county. She said such sites accumulate waste, becoming eyesores and ultimately shifting the burden of cleanup onto taxpayers.

"Most of the debris being accepted at this and other sham recycling facilities is debris resulting from the demolition of vacant homes," she said. "Demolition contractors cut costs by taking the debris to these sham recycling sites because they undercut the disposal fees that legitimate recyclers and landfills must charge in order to operate properly."

Ohio Environmental Health Association President Chad Brown said the group has spent a decade trying to address issues within the C&DD industry, but has made little progress without legislative action.

"There have been cases in all regions of the state where materials have been stockpiled without being processed properly, which has resulted in public nuisance situations," Mr. Brown said. "SB333 aims to address these nuisance conditions and provide the proper authority to OEPA and local health departments to address these issues."

Other witnesses praised different facets of the bill. Ohio Chamber of Commerce Director of Energy and Environmental Policy Zachary Frymier said the bill would improve business efficiency and surface water quality by strengthening the Certified Water Quality Professional Program.

Agreeing the bill would allow the state to address "bad actors" in the C&DD industry, he also praised the 401 waiver provision.

Ohio Rural Water Association Executive Director Kevin Strang singled out the bill's requirement that private water systems maintain an asset management plan. He said his association regularly assists systems with few resources that have overlooked or delayed maintenance and inventory planning.

"We have most recently provided extensive services to the villages of Botkins in Shelby County, Gratis in Preble County, and Spring Valley in Green County," he said. "In these three systems alone we project potential long term savings in excess of \$500,000 by reducing the need for premature repairs and replacement of system equipment."

Others testifying in support of the measure included Geoff Guss of Coschoton's McWane Ductile, professional engineer Alan Olsen, Great Lakes RCAP Director Debbie Martin, Hecla Water Association Inc. General Manager Tony Howard, and Materials Management Advisory Council Chairman Michael Dineen.

Submitting written proponent testimony were Port of Cleveland Vice President of External Affairs Jade Davis, Cuyahoga County Health Commissioner Terry Allan, Aqua Ohio Inc. and Aqua Ohio Wastewater Inc. President Ed Kolodziej, CSX Resident Vice President Rusty Orben, and a pair of Ohio residents.

Committee Chair Raises Concerns About Insurance Bill

The leader of a Senate committee on Tuesday questioned the efficacy of a measure designed to prevent certain uninsured drivers from collecting non-compensatory damages as a result of a traffic accident.

Sen. Jay Hottinger (R-Newark), chairman of the Senate Insurance Committee, said a recent study found that the measure (HB 279) would decrease the rate of uninsured drivers on Ohio's roadways by just 1.6%.

"Candidly, 1.6% is probably certainly inside the margin of error," he said.

Sponsoring Rep. Michael Henne (R-Clayton) said the legislation is about fairness. He likened the circumstances it addresses to a group that buys lottery tickets and hits a jackpot, then someone who did not contribute to the purchase asking for a share of the winnings.

"If everybody participates then we are protecting everybody," he said.

Sen. Hottinger also raised concerns about a letter from the Ohio Judicial Conference sent to Rep. Jeff Rezabek (R-Clayton), a co-sponsor of the bill, that suggested the measure could violate both the Equal Protection and Due Process clauses of the Ohio Constitution.

But Rep. Henne said just one state's high court found a similar measure to be unconstitutional.

Under the bill, those who have a previous conviction of driving without insurance in the past seven years would be barred from seeking non-compensatory damages in the event of a traffic accident.

"They can still collect damages for their damaged property, medical bills, and loss of wages," Rep. Henne said.

Uninsured motorists would still be able to sue for non-economic damages in what Rep. Henne described as egregious situations, including crashes involving a four- or six-point offense, texting while driving and wrongful death. Drivers under the age of 18 will also be exempted from the law.

An estimated 15% of Ohio drivers are uninsured, above the national average of 13%, according to Rep. Henne.

The number of crashes involving uninsured drivers increased from 50,151 in 2011 to 95,000 in 2015, he said.

"Drivers who repeatedly choose not to participate in a system that is designed to protect all drivers, by failing to purchase the required minimum limits of liability protection, will no longer receive the full benefits of this system," he said. "If they are injured by another driver, HB279 affords the uninsured driver more than the amount of protection they offer their victims."

Sen. Hottinger was not alone in questioning the measure. Sen. Edna Brown (D-Toledo) said she supports the goal behind the bill, but does not believe it will accomplish "a great deal."

"I would like to see a bill where we come forth with some method by which we use some other stick," she said.

Adding that there are many Ohioans who cannot afford liability insurance and lack access to public transportation, the Democrat said, "We need something else. We need to look at the possibility that there may be extenuating circumstances."

Rep. Henne replied by saying that if someone does not have the financial means to obtain liability insurance, they don't have the financial means to drive a vehicle.

"Should we allow people to run through red lights if they are late for work?" he asked.

The legislation passed the House in May on a largely party-line vote of 62-35, with Reps. Jonathan Dever (R-Cincinnati) and Louis Terhar (R-Cincinnati) voting with the Democrats on opposition. (See Gongwer Ohio Report, May 25, 2016)

Medical Board Closes Investigation Into Dayton Abortion Clinic

Anti-abortion groups on Tuesday called for further government action against a Dayton-area clinic following the State Medical Board of Ohio's closure of a case involving the facility.

Ohio Right to Life and Dayton Right to Life urged the board to either disclose the investigative record or reopen the probe into Women's Med Center in Kettering regarding a June incident in which a patient received an abortion despite being unable to consent due to a drug overdose.

Dayton Right to Life filed complaints with the board earlier this year after an incident report from the Ohio Department of Health. The patient had taken a number of drugs the day of the scheduled abortion and was unable to walk on her own or keep her eyes open, according to the report. (See Gongwer Ohio Report, August 4, 2016)

Paul Coudron, executive director of Dayton Right to Life, said he received a notice from the Medical Board that the cases against the doctors at the facility had been closed with no action taken.

"The women of Dayton deserve to know why no action, not even a reprimand, has been taken by this institution," he said at a Columbus news conference.

Mr. Coudron and Devin Scribner, executive director of Ohio Right to Life, said they want the board either to release the record of their investigation or to reopen the case.

"Today we're here to call for action from the State Medical Board," Mr. Scribner said. "Case closed is not good enough for us."

Katherine Franklin, spokeswoman for Ohio Right to Life, said the issue is one of informed consent and should be of concern for Ohioans regardless of their attitudes toward abortion.

"This is much more a question of ethics in medicine more than it is politics," she said. "Pro-choice and pro-life advocates should be demanding action on this case, because it gets to the heart of a woman's right to say no and control her own bodily autonomy."

Michael Gonidakis, the president of Ohio Right to Life, serves as president of the State Medical Board but said he would recuse himself in the case. The investigation was closed by board staff and never required a hearing before the board.

Tessie Pollock, a spokeswoman for the board, said the details of complaints and investigations are confidential.

"When we receive complaints about informed consent, we investigate fully, as we do with all complaints against licensees," she said in an email. "Informed consent is an essential part of a physician's standard of care; failure to obtain informed consent is a failure to meet the minimal standard of care required of Ohio licensed physicians."

Investigative staff at the board have access to medical records, interviews with providers, patients, complainants and experts, and can subpoena documents, she said.

Kellie Copeland, executive director of NARAL Pro-Choice Ohio, said the case has been reviewed and closed.

"When this case opened, the Ohio Department of Health investigated and asked the provider to rewrite their policy, which they did," she said in a statement. "Both the health department and the State Medical Board have looked into this case, and neither have decided additional action is necessary. Case closed."

"Women in Ohio need access to safe and legal abortion care from providers like Women's Med Center," she added. "They don't need political interference from Ohio Right to Life."

Buckeye Institute Touts Charity Care; OSMA Launches Opioid Campaign; Innovation Ohio Eyes Food Insecurity

The state could encourage more affordable health care by incentivizing doctors to perform charity care, according to a policy brief by the Buckeye Institute.

Bureaucratic hurdles in Medicaid create a situation in which doctors often refuse new patients, and limitations on voluntary charity care would help doctors and nurses reach more people, wrote Greg Lawson, Statehouse liaison for the Buckeye Institute.

The policy brief encouraged lawmakers to allow health care professionals to receive continuing education credits in exchange for providing charity care to underserved Ohioans. Other states, such as Florida, allow medical professionals to earn credit for up to a certain number of hours or a certain percentage of credit per renewal period. Bills have been introduced (HB 488 and SB 292) to deal with these issues.

"Healthcare providers must maintain a requisite number of CE credits to practice in Ohio, and allowing some of those credits to be earned through charity care will increase the supply of quality treatment available to the poor," Mr. Lawson wrote.

Other possible changes that would improve access to charity care include broadening immunity provisions that protect charity care providers from malpractice lawsuits, the brief said, and relaxing regulatory requirements on licensed nurses. A bill (HB 216) to increase the autonomy of advanced practice registered nurses has cleared the House and is currently before a Senate committee.

"These are examples of the kind of reforms that could be pursued as policymakers devise ways to extend access to more affordable healthcare to our neediest patients and communities," Mr. Lawson wrote.

OSMA Opioid Campaign: The Ohio State Medical Association has launched a campaign aimed at fighting the problem of misuse and abuse of opioid painkillers.

The campaign, called BeSmart, includes posters and prescription pads for doctors and prescribers to use that raise awareness of information about the potentially addictive and dangerous drugs.

The materials include links and numbers for drug-related resources and advice for people who are prescribed opioids, people who are prescribed non-opioid treatments, and for talking to children about drug abuse.

Food Insecurity Report: An investment of \$16 million in the Ohio State Extension nutrition education programs could lift 24,000 Ohioans out of food insecurity, according to a report from the Innovation Ohio Education Fund.

The report looked at a number of potential policy solutions for dealing with the state's high rate of food insecurity, including improving the nutrition education programs, expanding the number of counties with SNAP eligibility waivers, reforming the state earned income tax credit and investing in job creation programs.

It found the education funding to be highly effective, while grading it a medium for efficiency and political feasibility.

"Based on the above analysis, I recommend that the state of Ohio expand its nutrition education program and expand the number of counties with SNAP eligibility waivers," author Rob Moore wrote. "EITC reforms and job programs, while potentially valuable for other reasons, are unlikely to significantly decrease food insecurity in the state without large, expensive investments."

"A state-funded SNAP-Ed program funded at \$16 million (a modest 0.6% increase in higher education spending for Ohio and one tenth the size of an EITC expansion) would lead to a projected reduction in food insecurity that would lift 24,000 Ohioans out of food insecurity," he added.

Farmers Union Prices Thanksgiving Dinner; AG Warns On Holiday Shopping Scams; DSW Sales Up

Farmers will see less than 20% of consumer dollars spent on popular holiday menu items this year, according to an annual report.

The Thanksgiving edition of the National Farmers Union Farmer's Share publication found that farmers receive 19.4 cents of every food dollar spent on 15 common holiday foods. Most of the cost of traditional fare comes from marketing, processing, wholesaling, distribution and retailing.

Throughout the year, research has found farmers take in a little more than 17 cents for every food dollar consumers spend, NFU said.

"It's important to understand the difference between the price consumers pay for food at the grocery store or restaurant and the commodity prices farmers are paid for their products, NFU President Roger Johnson said in a statement.

"Just recently, food costs started to drop, but farm and ranch families have been plagued by low commodity prices for nearly three years," he said. "Comparatively, the costs associated with the rest of the supply chain have a more pronounced effect on consumers' food prices."

Turkey growers receive about 89 cents per pound retailing at \$1.59, while wheat farmers averaged four cents on a dozen dinner rolls that retail for \$3.29 and dairy producers received \$1.44 for the average \$4.49 gallon of fat free milk, the report shows.

Holiday Shopping: The Better Business Bureau and Attorney General Mike DeWine are working to inform consumers about how to keep themselves and their wallets safe as the holiday shopping season officially kicks off this week.

The AG's office released a list of tips for the estimated 137.4 million shoppers expected to take to stores over the Thanksgiving holiday weekend.

It includes recommendations to make plans before getting to stores, diligently reading fine print in ads and on "free" offers, and monitor bank accounts for any fraudulent charges.

"We encourage consumers to take some simple steps to protect themselves," Attorney General DeWine said. "Whether they're shopping online or in stores, we encourage people to take their time, understand the details, and ask for help if they need it. Awareness can go a long way in preventing problems."

BBB, meanwhile, has launched a new #AdTruth campaign to highlight common schemes companies use to lure in business and inform shoppers about how to truly find the best deals.

As more purchasing moves to the internet, BBB is also providing information about how to determine if a website or advertising emails are credible.

DSW: Third-quarter sales increased 4.7% to \$697 million compared to the same period last year, when sales decreased 2%, the company reported.

The Columbus-based footwear and accessories retailer also reported net income of \$39 million, or \$0.47 per diluted share. The total includes pre-tax charges from the acquisition of Ebuys, which is another footwear retailer.

"This quarter reflects the first step in our return to year-over-year earnings growth," CEO Roger Rawlins said "After four consecutive declines, we reported a 16% increase in Adjusted Earnings Per Share this quarter."

"Tighter inventory management drove improvements in gross margin which, combined with effective expense management, resulted in an increase in net income," he continued. "We've reduced clearance markdowns and we are positioned to generate more profitable sales in the holiday season."

Governor's Appointment

Northeast Ohio Medical University Board of Trustees: E. Douglas Beach of Northfield (Summit Co.) for a term beginning Nov. 22 and ending Sept. 21, 2024.

Attorney General's Opinion

No. 2016-037. Requested by Athens County Prosecuting Attorney Keller J. Blackburn.
SYLLABUS:

1. A secret service officer appointed pursuant to R.C. 309.07 may serve as a member of a board of township trustees, provided that in his capacity as a township trustee he refrains from participating in any discussions, deliberations, negotiations, or votes under R.C. 309.09(B) to retain legal counsel other than the prosecuting attorney to advise or represent the township, and in his capacity as a secret service officer he shall not be permitted or required to conduct any criminal investigatory activities or functions in connection with criminal charges that may be brought by the prosecuting attorney or other prosecuting authority against officers or employees of the township.

2. A legal secretary appointed pursuant to R.C. 309.06 may serve as a member of a board of township trustees, provided that in her capacity as a township trustee she refrains from participating in any discussions, deliberations, negotiations, or votes under R.C. 309.09(B) to retain legal counsel other than the prosecuting attorney to advise or represent the township.

Supplemental Agency Calendar

Tuesday, November 29

Power Siting Board, Rm. 11B, 180 E. Broad St., Columbus, 3:30 p.m.

Wednesday, November 30

Aerospace & Aviation Technology Committee, Rm. 122, Statehouse, Columbus, 9:30 a.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Supplemental Event Planner

Monday, November 28

Auditor of State Dave Yost media availability on open enrollment, Auditor of State Ceremonial Office, Statehouse, Columbus, 2 p.m.

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Senate Activity for Tuesday, November 22, 2016

INTRODUCED

SB 369  **ROAD NAMING** (Patton, T., Manning, G.) To designate a portion of Interstate Route 90 in Cuyahoga County as the "Patrol Trooper Kenneth Velez Memorial Highway." Am. 5534.46

SB 370  **LICENSE PLATE** (Patton, T.) To create the "University of Notre Dame" license plate. Am. 4501.21 and to enact section 4503.514

SB 371  **COUNTY PROSECUTORS** (Thomas, C.) To prohibit prosecuting attorneys of counties with a population of 400,001 or more from engaging in the private practice of law. Am. 309.02 and 325.11

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Daily Activity Planner for Wednesday, November 23

Legislative Committees

No legislative committees scheduled.

Agency Calendar

No agency meetings scheduled.

Event Planner

No events scheduled.

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Legislative Committee Schedules beginning 11/23/2016

Monday, November 28

House Rules & Reference (Committee Record) (Chr. Amstutz, R., 466-1474), Rm. 119, 10:30 a.m.
Senate Education (Committee Record) (Chr. Lehner, P., 466-4538), Finance Hearing Rm., 2 p.m.

- SB 136** **SCHOOL SECLUSION (Tavares, C.)** To prohibit the use of seclusion on students in public schools. (1st Hearing-Sponsor)
- SB 346** **SCHOOL YEAR (Manning, G.)** To generally require public and chartered nonpublic schools to open for instruction after Labor Day. (2nd Hearing-Proponent)
- HB 89** **MEDICAID SCHOOL PROGRAM (DeVitis, T.)** Regarding the Medicaid School Program. (2nd Hearing-All testimony)
- HB 383** **FINANCIAL LITERACY (Hagan, C., McColley, R.)** To require one-half unit of economic and financial literacy in the high school social studies curriculum, to require the Chancellor of Higher Education to prepare an informed student document for each state institution of higher education, to require the State Board of Education to include information on the informed student document in the standards and model curricula it creates for financial literacy and entrepreneurship, and to entitle the act the "Informed Student Document Act." (2nd Hearing-All testimony)
- HB 85** **ABUSE PREVENTION (Ramos, D., Hagan, C.)** With respect to age-appropriate student instruction in child sexual abuse and sexual violence prevention and in-service staff training in child sexual abuse prevention. (2nd Hearing-Proponent)

Tuesday, November 29

House State Government (Committee Record) (Chr. Maag, R., 644-6023), Rm. 113, 9 a.m.

- SB 227** **ATTORNEY GENERAL (Bacon, K.)** To make various changes to the laws governing the duties and functions of the Attorney General. (1st Hearing-Sponsor & proponent)
House Agriculture & Rural Development (Committee Record) (Chr. Hill, B., 644-6014), Rm. 116, 9 a.m.
- HR 214** **PHOSPHORUS AGREEMENT (Sheehy, M., Fedor, T.)** To encourage support for the agreement between Ontario, Michigan and Ohio regarding the reduction of phosphorus in the western basin of Lake Erie. (1st Hearing-Sponsor)
- HB 566** **NURSERY STOCK (Ramos, D.)** To prohibit the labeling and advertising of nursery stock as pollinator beneficial under specified conditions (1st Hearing-Sponsor)
House Education (Committee Record) (Chr. Brenner, A., 466-6711), Rm. 017, 9 a.m.
- HB 498** **STUDENT EXPULSIONS (Kunze, S.)** With respect to the expulsion of a student from a school district, community school, or STEM school for communicating a threat of violence to occur on school grounds. (2nd Hearing-Proponent)

HB 372 **EDUCATIONAL SERVICES (Phillips, D.)** To require city, exempted village, and local school districts to employ, for each 1,000 students, at least five full-time equivalent educational service personnel in specified areas. (1st Hearing-Sponsor)

House Insurance (Committee Record) (Chr. Brinkman, T., 644-6886), Rm. 121, 9 a.m.

SB 27 **FIREFIGHTER CANCER (Patton, T.)** To provide that a firefighter who is disabled as a result of specified types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter. (3rd Hearing-All testimony-Possible amendments, substitute & vote)

HB 394 **UNEMPLOYMENT COMPENSATION (Sears, B.)** To temporarily change the taxable wage base under Ohio's Unemployment Compensation Law, to remove dependency classes for unemployment compensation benefit eligibility, to temporarily freeze automatic increases for weekly unemployment compensation benefit amounts, to reduce the number of weeks for which an individual may receive unemployment compensation benefits, to abolish the Unemployment Compensation Advisory Council, and to make other changes to Ohio's Unemployment Compensation Law. (6th Hearing-All testimony-Possible substitute)

House Financial Institutions, Housing & Urban Development (Committee Record) (Chr. Dever, J., 466-8120), Rm. 122, 9 a.m.

HB 593 **CROWDFUNDING (Arndt, S.)** To permit intrastate equity crowdfunding under certain circumstances. (2nd Hearing-Proponent)

HB 598 **LOAN ACT (Terhar, L.)** To create the Ohio Consumer Installment Loan Act. (2nd Hearing-Proponent-Possible substitute)

HB 616 **BANKING LAW (Amstutz, R.)** For the purpose of enacting a new banking law for the State of Ohio. (1st Hearing-Proponent-Possible substitute)

Senate Agriculture (Committee Record) (Chr. Hite, C., 466-8150), South Hearing Rm., 9 a.m.

- Confirmation hearing on governor's appointments of S. Craig Beam, Ohio Thoroughbred Race Fund Advisor Council; Kelly Cole, Southern Ohio Agricultural and Community Development Foundation; Cy Prettyman, Ohio Livestock Care Standards Board and Michael Frazier and Gregory Levens, Dangerous & Restricted Animals Advisory Board

SB 151 **DOGS LAW (Beagle, B.)** To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law. (4th Hearing-Opponent)

SB 224 **AGRICULTURE LAWS (Brown, E.)** To revise the application and enforcement of the law governing operation and management plans, and to require certain animal feeding facilities to annually report the amount of manure that is applied by or for the facilities. (1st Hearing-Sponsor)

SB 271 **POLICE ANIMALS (Gentile, L.)** To authorize a law enforcement officer to purchase a police dog or horse for fair market value when the officer retires in good standing from a law enforcement agency and certain conditions are met, and to declare an emergency. (1st Hearing-Sponsor)

House Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 018, 9:30 a.m.

- HB 561** **PARK COMMISSIONERS (Bocchieri, J., Clyde, K.)** To require boards of county commissioners to appoint additional park board commissioners and allow for public comment during appointment process. (1st Hearing-Sponsor)
- HB 562** **MAIL DELIVERY (Hambley, S., Ryan, S.)** To authorize local governments and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail. (1st Hearing-Sponsor)
- HB 576** **PUBLIC RECORDS (Ryan, S.)** To exempt from the Public Records Act financial account numbers and identifying information in public records and to provide that taxpayer electronic mail address lists used by county treasurers to deliver tax bills are not public records. (1st Hearing-Sponsor)

Senate State & Local Government (Committee Record) (Chr. Uecker, J., 466-8082), North Hearing Rm., 9:45 a.m.

- Confirmation hearing on governor's appointment of Thomas Pascarella, Ohio Retirement Study Council

- SB 347** **PRIMARY ELECTIONS (LaRose, F.)** To expand the circumstances under which a board of elections or the secretary of state is not required to hold a primary election. (2nd Hearing-All testimony-Possible amendments & vote)
- SB 322** **POLICE TRAINING (Hite, C.)** To require the Ohio peace officer training commission to develop and conduct a chief of police training course for newly appointed chiefs of police appointed on or after January 1, 2017, and to require newly appointed chiefs of police of villages, cities, and townships to attend the training course within six months of appointment as a chief of police. (3rd Hearing-All testimony-Possible amendments & vote)
- SB 306** **DAY DESIGNATION (Yuko, K.)** To designate July 8 as "Harrison Dillard Day." (2nd Hearing-All testimony-Possible amendments & vote)
- HB 440** **AWARENESS DAY (Anielski, M.)** To designate the Saturday before Thanksgiving as "Ohio Survivors of Suicide Loss Day." (2nd Hearing-All testimony-Possible amendments & vote)
- HB 276** **CHIROPRACTORS (Schuring, K.)** To authorize chiropractors to engage in certain activities involving nutrition-related items and therapies, nonprescription drugs, and medical goods and devices. (2nd Hearing-proponent)
- HB 423** **MILITARY RECORDS (Perales, R.)** To specify that an order for active military service or other documentation regarding the call to order of an individual in the Armed Forces of the United States or the Ohio organized militia is not a public record. (1st Hearing-Sponsor)
- HB 167** **LEGISLATIVE SERVICE COMMISSION (Sweeney, M.)** Regarding the term of a General Assembly member as a member of the Legislative Service Commission. (2nd Hearing-All testimony-Possible amendments & vote)

House Finance (Committee Record) (Chr. Smith, R., 466-1366), Rm. 313, 10 a.m.

- SB 331** **PET STORES (Peterson, B.)** To regulate the sale of dogs from pet stores and dog retailers and to require the Director of Agriculture to license pet stores. (1st Hearing-Sponsor)